

RESOLUTION NO. 2006-162

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LODI CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (06-EIR-01), ADOPTING THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING THE MITIGATION MONITORING PROGRAM PREPARED FOR THE REYNOLDS RANCH PROJECT

WHEREAS, the subject properties included within the Project are described as follows:

APN	OWNER	ADDRESS	CITY	STATE	ZIP
058-110-04	REYNOLDS, ROBERT & CAROLYN ETA	33 E TOKAY ST	LODI	CA	95240
058-110-05	KATZAKIAN, CHARLES S & MELISSA	PO BOX 2484	LODI	CA	95241
058-110-41	REYNOLDS, R & C ETAL	33 E TOKAY ST	LODI	CA	95240
058-130-02	VARNER, SEAN & SUMMER	13475 N STOCKTON ST	LODI	CA	95240
058-130-03	HEUANSAVATH, SENGSOIRISACK & V	13409 N STOCKTON ST	LODI	CA	95240
058-130-05	ZARATE, ISAAC B & DONNA I TR	2036 BISHOP ST	STOCKTON	CA	95205
058-130-06	DELLA MAGGIORA, DOMENICO TR ET	13323 N STOCKTON ST	LODI	CA	95240
058-130-07	PARISES, ELISA ADELE	13322 N STOCKTON ST	LODI	CA	95240
058-130-08	MCLEAN, JEFFREY JOHN ETAL	310 KENSINGTON WAY	LODI	CA	95242
058-130-09	BRADLEY, ERMA F TR ETAL	310 KENSINGTON WAY	LODI	CA	95242
058-130-11	STOCKER, PATRICK F & SANDRA H	PO BOX 673	VICTOR	CA	95253
058-130-15	REYNOLDS, ROBERT L & CAROLYN E	33 E TOKAY ST	LODI	CA	95240
058-130-16	REYNOLDS, ROBERT L & CAROLYN E	33 E TOKAY ST	LODI	CA	95240
058-130-17	BISLA, BRIJ D & S K	13137 N ST RT 99 W F	LODI	CA	95240
058-130-19	DEL CASTILLO, MARCIANO & B	13191 N HWY 99	LODI	CA	95240
058-130-21	SEEMAN, DELFORD & E TRS	13275 N STOCKTON ST	LODI	CA	95240
058-130-22	PELLETTI, MARIA	13167 S STOCKTON ST	LODI	CA	95240
058-130-24	TSUTSUMI, AGNES M TR ETAL	3725 E ARMSTRONG RD	LODI	CA	95240
058-130-04	GRIFFITTS, WILLIAM & CHERYL T	13387 N STOCKTON ST	LODI	CA	95240
058-130-10	STOCKAR, PATRICK F & SANDRA H	PO BOX 673	VICTOR	CA	95253
058-130-14	HELM, SHIRLEY ANN ETAL	13125 N STOCKTON ST	LODI	CA	95240
058-130-18	LODI MOOSE LODGE 634	13263 N HWY 99	LODI	CA	95240

WHEREAS, a Draft Environmental Impact Report (EIR) (File No. 06-EIR-01) was prepared in compliance with the California Environmental Quality Act (CEQA) of 1970, as amended, and the Guidelines provided there under; and

WHEREAS, a Notice of Availability for the Draft EIR was published in the Lodi News Sentinel and was posted at City Hall on June 9, 2006; and

WHEREAS, the Notice of Availability and copies of the Draft EIR were sent to responsible agencies and the State Office of Planning & Research (State Clearinghouse) on June 9, 2006; and

WHEREAS, a copy of the Draft EIR was kept on file for public review within the Community Development Department at 221 West Pine Street, Lodi, CA, and the public library for a 45-day comment period commencing on June 9, 2006, and ending on July 24, 2006; and

WHEREAS, the City of Lodi Planning Commission received comments and testimony on the Draft EIR from the following individuals on June 28, 2006, at 7:00 pm at the Carnegie Forum, 305 West Pine Street, Lodi, CA:

- Anne Cerney
- Will Ackle;

WHEREAS, the City received six (6) comment letters in response to the Notice of Availability from the following agencies/persons:

- Public Utilities Commission (PUC) – June 21, 2006;
- California Highway Patrol (CHP) – June 21, 2006;
- Jane Lea - July 12, 2006;
- San Joaquin County Department of Public Works (email) – July 24, 2006
- San Joaquin Valley Unified Air Pollution Control District (email) – July 24, 2006
- Osha R. Meserve, Adams Broadwall Joseph & Cardozo – July 24, 2006

WHEREAS, a Final EIR was prepared in accordance with CEQA, which responds to comments received on the Draft EIR, incorporated herein as reference; and

WHEREAS, individual proposed responses to comments received on the Draft EIR were mailed to each commenting agency/individual prior to the certification of the Final EIR; and

WHEREAS, the City Council of the City of Lodi has held a noticed public meeting to consider the Final EIR (06-EIR-01); and

WHEREAS, findings and a statement of overriding considerations was prepared in conjunction with the Final EIR; and

WHEREAS, a mitigation monitoring program was prepared, which includes the following mitigation measures which are imposed as conditions of approval for the project:

1. In addition to implementing the "Dust Control Measures for Construction" required by San Joaquin Valley Air Pollution Control District (SJVAPCD), construction onsite shall implement the "Enhanced and Additional Control Measures for Construction Emissions of PM-10" identified in Table 6-3 of the SJVAPCD's *Guide for Assessing and Mitigating Air Quality Impacts*.
2. Clearing, grubbing, and/or removal of vegetation shall not occur during the bird-nesting season (from February 1 - September 31) unless a biologist with qualifications that meet the satisfaction of the City of Lodi conducts a preconstruction survey for nesting special-status birds including Swainson's hawk, western burrowing owl, white-tailed kite, California horned lark, and loggerhead shrike. If discovered, all active nests shall be avoided and provided with a buffer zone of 300 feet (500 feet for all raptor nests) or a buffer zone that otherwise meets the satisfaction of the California Department of Fish and Game (CDFG). Once buffer zones are established, work shall not commence/resume within the buffer until the biologist confirms that all fledglings have left the nest. In addition to the preconstruction survey, the biologist shall conduct weekly nesting surveys of the construction site during the clearing, grubbing, and/or removal of vegetation phase, and any discovered active nest of a special-status bird shall be afforded the protection identified above. Clearing, grubbing, and/or removal of vegetation conducted outside the bird-nesting season (from October 1 - January 31) will not require nesting birds surveys.

3. Development on the subject site shall participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMHCOP). This includes payment of Open Space Conversion fees in accordance with the fee schedule in place at the time construction commences and implementation of the Plan's "Measures to Minimize Impacts" pursuant to Section 5.2 of the SJMHCP.
4. Regardless of whether the project develops in a manner that is subject to the San Joaquin County tree protection ordinance (San Joaquin County Code Division 15, Natural Resources Regulations; Chapter 9-1505, Trees), the proposed project shall comply with the ordinance's "Replacement" requirements (Section 9-1505.4) and "Development Constraints" (Section 9-1505.5).
5. The Morse-Skinner Ranch House and water tank, including the one-acre parcel on which it is situated, is listed on the National Register of Historic Places (NRHP) and it is therefore a historical resource eligible for the California Register of Historical Resources (CRHR). Any adaptive reuse of the Morse-Skinner Ranch property shall comply with standards set forth by the Secretary of the Interior.
6. The residences, barn, and Moose Lodge that are situated within the 60 acres included in the Development Plan shall be evaluated for the CRHR. Some of these resources, such as the Moose Lodge, were clearly constructed within the last 50 years and are unlikely to be eligible for the CRHR. However, some of the residences may be more than 50 years old and their architectural significance shall be evaluated by a qualified architectural historian prior to issuance of demolition or building permits. This process includes the recording of the buildings and structures on Department of Parks and Recreation Historic Structures Forms (DPR 523). Any structures that are found to be ineligible for the CRHR warrant no further consideration. If any of those structures are determined to be CRHR eligible, the California Office of Historic Preservation (OHP) shall be consulted to determine the significance of the discovery, and any resources that are CRHR eligible shall be treated in accordance with the Secretary of Interior Standards.
7. The CRHR eligibility of existing buildings and structures within the 160-acre Concept Plan shall be determined prior to the issuance of building permit. This will require the services of a qualified architectural historian. This process includes the recording of the buildings and structures on Department of Parks and Recreation Historic Structures Forms (DPR 523). Any structures that are found to be ineligible for the CRHR warrant no further consideration. If any of those structures are determined to be CRHR eligible, the OHP shall be consulted to determine the significance of the discovery, and any resources that are CRHR eligible shall be treated in accordance with the Secretary of Interior Standards.
8. The Yokuts who inhabited the project area prehistorically left no apparent archaeological remains on the ground surface within the Study Area. Previous studies in the Central Valley have shown that archaeological sites are sometimes buried (Moratto 1984). If buried Native American archaeological resources are discovered during the project activities, work shall stop immediately in the vicinity of the discovery, until a qualified archaeologist that meets the satisfaction of the City of Lodi determines the significance of the discovery and develops plans to preserve the significance of any discovered CRHR eligible resources. Such archaeological resource preservation plans shall be implemented to the satisfaction of the City of Lodi.

9. Should paleontological resources be encountered during construction excavation, the project proponent shall halt excavation in the vicinity of the discovery and contact a qualified vertebrate paleontologist to evaluate the significance of the find and make recommendations for collection and preservation of discovered paleontological resources in a written report to the City of Lodi. Said recommendations shall be implemented to the satisfaction of the City of Lodi.
10. The City of Lodi shall not issue permits for construction activities on the project site unless the portion of the site involved in the requested permit has been deemed clear of recognized environmental conditions in writing by a California State Registered Environmental Assessor with HAZWOPER 40-hour OSHA Certification. Portions of the site require further hazardous material investigations to make a determination of the presence of recognized environmental conditions. Such investigations shall be conducted in accordance with the most recent American Society for Testing and Materials (ASTM) standards, such as the ASTM's "Standard Guide for Environmental Site Assessments: Phase I [or II] Environmental Site Assessment Process." In total, the updated hazardous material investigations of the site shall minimally evaluate the areas previously inaccessible to hazardous material investigators, the southern-most barn on the eastern portion of APN 058-110-41, the contents of the vault in the shed on the southern portion of APN 058-110-04, the function of the "water" basin and its previous discharges must be determined, the exact location of the 10 inch Kinder Morgan refined product pipeline, the areas adjacent to the Union Pacific Railroad right-of-way, and the onsite residential structures and buildings which were previously inaccessible.
11. A Phase II Environmental Site Assessment (ESA) shall be completed prior to the approval of individual development plans within the project area. Said Phase II ESA report shall include subsurface investigations and recommended remedial actions, if required, at specific locations as recommended in the Phase I Environmental Site Assessment prepared by Kleinfelder, Inc., or any subsequent updated report. The following additional requirements shall apply:

Soil sampling and analysis for pesticides shall only be conducted in those areas of the site that are still agricultural; and

If levels of organochloride pesticides are found to be in excess of applicable residential or commercial Preliminary Remediation Goals/Maximum Contaminant Limits (PRGs/MCLs) then an evaluation shall be required to determine the depth and extent of these elevated concentrations.
12. If subsurface structures are encountered during site development or excavation onsite, care should be exercised in determining whether or not the subsurface structures contain asbestos. If they contain asbestos, it shall be removed, handled, transported, and disposed of in accordance with local, state, and federal laws and regulations.
13. The wells onsite shall not be used as a water supply for any of the proposed land uses unless the water from said wells is tested and found to meet state and federal drinking water standards as confirmed by the City's water department.
14. An asbestos and lead paint assessment shall be conducted prior to the issuance of building permits for structures constructed prior to 1980, if they are to be renovated or demolished prior to future development on the project site. The following requirements apply:

A Certified Cal-OSHA Asbestos Consultant shall conduct said surveys. If asbestos is detected, all removal shall be completed by a licensed asbestos abatement contractor, and

Any lead paint that is detected and which is in poor condition shall be removed prior to building demolition.

15. All locations of underground storage tanks (USTs) on the project site, where past releases are known or are suspected, shall be subject to further investigation and analysis to confirm or deny evidence of past releases prior to the issuance of building permits. Said investigations shall be conducted in accordance with Environmental Protection Agency (EPA) and per Leaking Underground Storage Tank (LUST) guidelines.
16. Septic systems which are associated with existing residences shall be removed and/or abandoned in accordance with local, state, and federal regulations prior to the issuance of building permits. Soil samples shall be collected in the vicinity of said septic systems and leach lines to determine the potential for hazardous materials discharged from the septic systems. Any removal of septic systems shall be performed with oversight provided by the San Joaquin County Environmental Health Department.
17. Miscellaneous debris located throughout the project site, and described in the Phase I ESA, shall be removed prior to issuance of building permits. Any petroleum products and/or hazardous materials encountered should be disposed of or recycled in accordance with local, state, and federal regulations.
18. Various sized buckets and drums containing petroleum products were noted at several locations on the project site in the Phase I ESA. All such drums and buckets shall be removed from the project site, prior to the issuance of building permits, in accordance with local, state, and federal regulations. In addition, soil sampling shall be conducted at those bucket and drum locations where staining was noted.
19. Prior to the issuance of building permits, the vault located in the storage shed along the southern portion of APN 058-110-04 shall be investigated and its nature determined prior to development activity occurring on the project site.
20. Limited soil samples shall be taken prior to the issuance of building permits along the project site boundary adjacent to the Union Pacific Railroad right-of-way to determine the presence and levels of metals or hazardous materials associated with the railroad right-of-way.
21. Prior to the issuance of building permits and to the satisfaction of the City of Lodi Public Works Department, a detailed engineering analysis for the development of a storm water collection system that will serve the project and potential future development between Reynolds Ranch and the Woodbridge Irrigation District (WID) canal shall be prepared. Said analysis shall include sizing of the pipe network and sizing of the detention basins and pump station discharging to the WID canal.
22. Prior to the issuance of building permits and to the satisfaction of the City of Lodi Public Works Department, the proposed pump station shall include provisions for managing the discharge flow rate to serve the needs of the City and to satisfy the terms of the discharge agreement.

23. Prior to the issuance of building permits and to the satisfaction of the City of Lodi Public Works Department, all drainage facilities shall be constructed in conformance with the standards and specifications of the City of Lodi.
24. Prior to the issuance of building permits and to the satisfaction of the City of Lodi Public Works Department, the detention basin shall include a low-flow facility to enhance water quality and to help manage nuisance flows. Other water quality control features shall be incorporated into the project design to improve water quality of the storm discharge to the satisfaction of the City of Lodi Public Works Department.
25. Prior to the issuance of building permits and to the satisfaction of the City of Lodi Public Works Department, as part of the design process, a detailed drainage master plan shall be developed to identify collection and storage facilities, phasing, and other appurtenances needed to insure that the system meets the requirements of the City drainage system.
26. Prior to the submittal of tentative tract map applications and to the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required drainage infrastructure to serve the demands of the project. Funding of drainage infrastructure in accordance with Conditions of Approval for the project shall satisfy this requirement.
27. To reduce agricultural/residential land use incompatibilities, the following shall be required prior to the issuance of building permits for individual development plans:
 - a. The applicant shall inform and notify prospective buyers in writing, prior to purchase, about existing and on-going agricultural activities in the immediate area in the form of a disclosure statement. The notifications shall disclose that the residence is located in an agricultural area subject to ground and aerial applications of chemical and early morning or nighttime farm operations which may create noise, dust, et cetera. The language and format of such notification shall be reviewed and approved by the City Community Development Department prior to recordation of final maps. Each disclosure statement shall be acknowledged with the signature of each prospective owner. Additionally, each prospective owner shall also be notified of the City of Lodi and the County of San Joaquin Right-to-Farm Ordinance.
 - b. The conditions of approval for tentative maps shall include requirements ensuring the approval of a suitable design and the installation of a landscaped open space buffer area, fences, and/or walls around the perimeter of the project site affected by the potential conflicts in land use to minimize conflicts between project residents, non-residential uses, and adjacent agricultural uses prior to occupancy of adjacent houses.
 - c. Prior to recordation of the final maps for homes adjacent to existing agricultural operations, the applicant shall submit a detailed wall and fencing plan for review and approval by the Community Development Department.
28. Prior to issuance of a building permit, the applicant shall identify agricultural acreage in close proximity to the project area to permanently protect in perpetuity as an agricultural use or pay an agricultural land mitigation fee to the City of Lodi. Said fee is to be determined by the pending adoption of an ordinance of the City establishing a fee mitigation program to offset the loss of agricultural land to future development. In the event said ordinance is not effective at the time building permits are requested, the applicant shall pay a fee to the Central Valley Land Trust (Central Valley Program) or other equivalent entity to offset the loss of the prime farmland. The City Council, within its legislative capacity and as a matter of policy, shall determine the sufficiency of fees paid to mitigate the loss of prime farmland.

29. All construction shall require a permit and shall be limited to the hours of 7 a.m. to 10 p.m. Staging areas shall be located away from existing residences, and all equipment shall use properly operating mufflers.
30. The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
31. Habitable second-story residential space, located within 245 feet of the Harney Lane centerline, must have upgraded structural protection including dual-paned windows and supplemental ventilation (air conditioning) to allow for window closure, in compliance with the City of Lodi Compatibility Standards.
32. Outdoor recreational space within 145 feet of the Harney Lane centerline must be shielded by solid perimeter walls of 6-7 feet in height or landscape berming, or any combination of the two to achieve the desired noise attenuation.
33. New residential development both north and south of Harney Lane shall require installation of 6-7 foot high sound walls or landscape berming, or any combination of the two to achieve the desired noise attenuation. Current and future homes located across Harney Lane will be masked from noise associated with major retail uses by the already elevated ambient background freeway noise and by setback distances of approximately 300 feet.
34. Homes situated adjacent to the train tracks require either a setback distance of 430 feet or a 6 foot sound wall (above train track rails), landscape berming, or any combination of the two to mitigate train noise to 65 dB at the residential exterior and ground floor interior. This attenuation may be achieved by the design of the mini-storage facility. An interior noise analysis shall be submitted in conjunction with building plan check, to verify that structural noise reduction will be achieved in a livable upstairs space, at the perimeter tier of homes by the specified structural components (windows, walls, doors, roof/ceiling assembly) shown on building plans. Disclosure of the presence of the tracks should be included in all real estate transfer documents to anyone buying or leasing a property within 500 feet of the train tracks.
35. A detention basin pump system will be required to empty the detention basin. The planned proximity of homes to the basin would likely require substantial shielding if such pumps were to operate at night. To the satisfaction of the City of Lodi, and prior to the issuance of building permits, noise levels at residences in proximity to any required basin pump system shall be analyzed and attenuated to meet the City's noise standards. Said attenuation can be achieved through enclosing the pump system or using upgraded sound rating building materials in nearby residences.
36. Noisiest agricultural activities will have substantial setback from onsite residences, particularly as the site is progressively developed. Buyer notification of the presence of possible agricultural activity noise shall be made as part of any property transfer documents.
37. A fire station shall be constructed as part of the proposed project during Phase II development of the site.
38. Prior to approval of the first tract or parcel map with the Reynolds Ranch Project, a roadway improvement plan for "A," "B," and "Loop" Streets including a detail plan for an off-street multi-use trail to be utilized within the internal network of trails and pedestrian access within the project shall be required for review and approval by the City's Public Works Department. Additionally, the roadway improvement plan shall identify all recommended intersection controls and geometrics as noted under "Proposed Improvements" in Section 3.10.7 of the EIR.

39. Prior to approval of the first tract or parcel map for Reynolds Ranch Project, the City's Public Works Department shall review and approve a roadway phasing and improvement plan to ensure that timing of new roadway construction and improvements will be provided as necessary to serve and support new development for "Year 2008 Pre-Project Plus Phase I Project Conditions." The phasing plan shall also note completion and timing of roadway improvements by other adjacent development to coincide with proposed improvements on the same facilities by the proposed project.
40. As part of the subdivision review process, a roadway improvement plan shall include, but not be limited to providing, the following items: 1) identify all entry/access points for all future development within the project area to ensure proper intersection control and signage, 2) show adequate sight distance in consideration of grading and landscaping at all intersections and drive entries, and 3) identify all bikeways, off-street multi-use trails and sidewalks within the project area. Submittal of the above information is intended to address any potential for vehicle and pedestrian conflicts in the development of the project roadway plan and ensure safe and adequate access for all residents and businesses within the project site.
41. Prior to the issuance of building permits for individual development plans, proponents of development onsite shall submit a construction Traffic Control Plan to the City's Public Works Department for review and approval prior to commencing construction on the project and any related off-site improvements. The design of the internal circulation system and vehicular access will be subject to review and approval by the City of Lodi's Police and Fire Departments prior to issuance any building permits for the project.
42. Prior to map approval and issuance of building permits, the developer shall ensure that adequate parking demand is satisfied for all proposed uses (i.e. parks, commercial and residential development, etc.) in accordance to the City of Lodi Zoning Ordinance.
43. Prior to and/or during construction activities and to the satisfaction of the City of Lodi Public Works Department, a new well shall be added in the project to support water needs for the project area and shall be included in the first phase of development. The triangular area by the Morse-Skinner Ranch House is a recommended area, although other sites may prove acceptable. A higher fire flow can be maintained by placing the well in the east portion of the project where office and retail fire flows will be higher.
44. During development of Phase II and to the satisfaction of the City of Lodi Public Works Department, a second well shall be constructed as part of the second phase of development as demands indicate the need. Alternatively, since the project only necessitates a portion of a second well, the well could be constructed offsite and the development pay its fair share. Prior to improvement plan approval, a looped water pipeline plan will be developed for the project that will provide for fire flows within the project, connections to the existing City system and a phasing plan for pipe installation. This plan shall be reviewed and approved by the City Engineer.
45. Prior to and/or during construction activities and to the satisfaction of the City of Lodi Public Works Department, the development shall be assessed its fair share of the cost of developing additional water sources, including but not limited to participation in acquiring additional water rights, development and construction of surface water treatment or recharge the groundwater system, construction of water transmission facilities, and other related water infrastructure.

46. Prior to the approval of a tentative tract map and to the satisfaction of the City of Lodi Public Works Department, as part of the design process, a detailed water master plan shall be developed to identify facilities, phasing and other facilities needed to insure that the water system for the project meets the requirements of the City water system.
47. Prior to the approval of a tentative tract map and to the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required water infrastructure to serve the demands of the project. Funding of water infrastructure in accordance with Conditions of Approval for the project shall satisfy this requirement.
48. Prior to the approval of a tentative tract map and to the satisfaction of the City of Lodi Public Works Department, a detailed engineering analysis for the development of a collection system that will serve the project area shall be prepared. Said analysis shall include sizing of the pipe network, sizing of the pump station modifications, and establishing timing for the pump station modifications.
49. Prior to the approval of a tentative tract map and to reflect the investment that has been made by existing development and other potential developers, a financing mechanism shall be developed and implemented to the satisfaction of the City of Lodi to fund the modification of the pump station and the station outfall force mains. Funding of the pump station in accordance with Conditions of Approval for the project shall satisfy this requirement.
50. Prior to the approval of a tentative tract map and to the satisfaction of the City of Lodi Public Works Department, and as part of the design process, a detailed sewer master plan shall be developed to identify facilities, phasing and other facilities needed to insure that the wastewater system meets the requirements of the City sewer system.
51. Prior to the approval of a tentative tract map and to the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required sewer infrastructure to serve the demands of the project. Funding of sewer infrastructure in accordance with Conditions of Approval for the project shall satisfy this requirement.

Based upon the evidence within the staff report, public testimony, and project file, the City Council of the City of Lodi makes the following determinations and findings as described in Attachment A and the Statement of Overriding Considerations (included in Exhibit A of Attachment A):

1. The City Council has reviewed and considered the information contained in said Draft and Final EIR's with respect to the Reynolds Ranch Development Project.
2. The Draft and Final EIR's represent the independent judgment of the City.
3. Although the project could have a significant effect on the environment, there will not be a significant effect (with the exception of air quality and agricultural land conversion impacts, both of which have been mitigated to the extent feasible) in this case because Mitigation Measures have been developed and incorporated into the proposal to reduce any impacts to a less than significant level.
4. All mitigation measures for the project, identified in the Final EIR, and included as Attachment B, Exhibit 1, are hereby incorporated into this recommendation of approval.

5. The specific economic, legal, social, technological, or other benefits derived from the project outweigh the project-specific and cumulative air quality impacts associated with the project.

NOW, THEREFORE, BE IT FOUND, DETERMINED, AND RESOLVED that the City Council of the City of Lodi hereby certifies the adequacy of the Environmental Impact Report (06-EIR-01), and adopts findings and the statement of overriding considerations and mitigation monitoring program.

Dated: August 30, 2006

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I hereby certify that Resolution No. 2006-162 was passed and adopted by the City Council of the City of Lodi at a special meeting held on August 30, 2006, by the following vote:

YES: COUNCIL MEMBERS – Beckman, Hansen, and Johnson

NOES; COUNCIL MEMBERS – Mounce and Mayor Hitchcock

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



JENNIFER M. PERRIN
Interim City Clerk

ATTACHMENT A

ENVIRONMENTAL IMPACT REPORT FINDINGS

REYNOLDS RANCH PROJECT

FINDINGS
REYNOLDS RANCH PROJECT
FINAL ENVIRONMENTAL IMPACT REPORT
CITY OF LODI, CALIFORNIA

INTRODUCTION

The California Environmental Quality Act (CEQA) requires that the environmental impacts of a project be examined and disclosed prior to approval of a project. CEQA Guidelines Section 15091 provides the following guidance regarding findings:

"(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR."

Having received, reviewed and considered the Final EIR for the Reynolds Ranch Project, as well as all other information in the record of proceedings on this matter, the following Findings Regarding the Final EIR for the Reynolds Ranch Project are hereby adopted by the City of Lodi for current and subsequent discretionary actions to be undertaken by the City and responsible agencies for the implementation of the Reynolds Ranch Project. These actions are collectively referred to herein as the "project".

Legal Effect of Findings

To the extent that these Findings conclude that various proposed mitigation measures outlined in the FEIR are feasible and have not been modified, superseded or withdrawn, the City hereby binds itself to implement these measures. These Findings constitute a binding set of obligations that will come into effect when City decision makers formally approve the project. The mitigation measures are referenced in the Mitigation Monitoring Program (MMP) adopted concurrently with the requested project approvals.

Custodial and Location of Records

The documents and other materials which constitute the administrative record for the City's actions regarding the project are located at the Lodi City Hall City Clerk or Community Development Department, 221 W. Pine Street, Lodi, California 95240.

PROJECT SUMMARY

The proposed project is located on a 220-acre site and includes a Development Plan (Project Level) for a 60-acre retail (40 AC) and office (20 AC) development, a Concept Plan (Program Level) for planned residential uses, parks, a fire station, K-8 school, and a mini-storage facility on the remaining 160 acres, and an Infrastructure Master Plan (Project Level) to guide the overall development of the remaining site. A project level analysis has been provided for the Development Plan portion of the site and the Infrastructure Master Plan, whereas a program level analysis has been prepared for the future residential, parks, school, mini-storage, and various public facility uses to be built on the remaining portion of the site. The level of analysis performed in the EIR is as follows:

Project Level Analysis

Development Plan

- Office Building
- Retail Buildings

Infrastructure Master Plan

- Circulation System
- Water Supply System
- Wastewater Collection System
- Drainage System
- Electricity, Gas, Telephone, and Cable Service Connection

Program Level Analysis

Concept Plan

- Residential Build-out
- K-8 School
- Fire Station
- Mini-Storage
- Open Space

REYNOLDS RANCH PROJECT				
	Density (DU/AC)	Square Feet (SF)	Acres (AC)	Dwelling Unit (DU)
COMMERCIAL/RETAIL		350,000	40.5	
OFFICE (BSC)		200,000	20.1	
MINI-STORAGE			5.3	
RESIDENTIAL				
- Planned Residential LDR	7 ¹		84.5	734
- HDR	22		9.1	200
- HDR (Senior)	50		3.0	150
Subtotal			96.6	1,084
PARKS/OPEN SPACE				
- Neighborhood Park			5.4	
- Open Space			7.3	
Subtotal			12.7	
PUBLIC FACILITIES				
- Fire			1.0	
- School			14.0	
Subtotal			15.0	
DETENTION BASIN			8.0	
INTERCHANGE/ON-RAMP			4.5	
INTERNAL STREETS			17.3	
TOTAL		550,000	220.0	1,084

Land use components for the project include:

¹ As defined in Planned Residential category and Planned Development Low Density Zoning. Through this general plan designation and zoning, the project will be developed with 103 residential units with an average of approximately five units or less of average units per gross acre and 631 units with an average density of 10.3 units or less per gross acre with the total density for the gross acreage within the Planned Residential category at 7 units per gross acre or less.

PROJECT ANALYSIS

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Reynolds Ranch Project is presented in Chapter 3.0 of the EIR. Responses to comments and any clarifications or revisions to the Draft EIR are provided in the Final EIR.

The EIR evaluates 11 major environmental categories for project specific and cumulative impacts with respect to potential significant adverse impacts. The environmental categories analyzed include the following:

- Air Quality
- Biological Resources
- Cultural Resources
- Energy Conservation and Sustainability
- Hazards and Hazardous Materials
- Hydrology and Water
- Land Use
- Noise and Vibrations
- Public Services
- Traffic and Circulation
- Utilities and Service Systems

FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL IMPACTS

As described in the EIR, the Project will result in significant and unavoidable impacts. For these impacts the City Council hereby adopts the "Statement of Overriding Considerations" set forth in Exhibit A attached hereto and incorporated herein by reference. The Project's significant and unavoidable impacts, along with the lead agency's finding for each impact and rationale for making such finding, are described below.

Impact 3.1.1 (B): (Operational Emissions of Ozone Precursors) Operation of the proposed project would generate NOx and ROG, which are ozone precursors, in excess of the San Joaquin Valley Air Pollution Control District's (SJVAPCD's) yearly emission significance thresholds.

Findings per State CEQA Guidelines Section 15091:

- ☒ Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR (Subd. [a][3]).

Rationale: The rationale for the above finding is set forth in Section 3.1 of the EIR and the Statement of Overriding Considerations in Exhibit A attached hereto. In summary, the amount of ozone precursors emitted by operation of the project annually will exceed the SJVAPCD's yearly emission significance thresholds; and while various emission reduction techniques are required to be incorporated into the project in accordance with SJVAPCD Rule 9510, there are no feasible mitigation measures or alternatives available to reduce the projects emissions of ozone precursors to below the SJVAPCD's yearly emission significance thresholds.

Impact 3.1.2: (Contribution to Cumulative Criteria Air Pollutants) The project would emit ozone precursors (NO_x and ROG) at levels that are significant as cumulatively considerable net increases of non-attainment criteria pollutants for the San Joaquin Valley Air Basin.

Findings per State CEQA Guidelines Section 15091:

- ☒ Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR (Subd. [a][3]).

Rationale: The rationale for the above finding is set forth in Section 3.1 of the EIR and the Statement of Overriding Considerations in Exhibit A attached hereto. In summary, the amount of ozone precursors emitted by operation of the project annually will exceed the SJVAPCD's yearly emission significance thresholds and, thus, are considered cumulatively considerable net increases of non-attainment criteria pollutants for the San Joaquin Valley Air Basin. There are no feasible mitigation measures or alternatives available to reduce the projects emissions of ozone precursors to below the SJVAPCD's yearly emission significance thresholds.

Impact 3.7.2: (Conversion of Prime Farmland to non-agricultural uses) Development of the proposed project would result in the conversion of approximately 200 acres of Prime Farmland to non-agricultural uses.

Findings per State CEQA Guidelines Section 15091:

- ☒ Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR (Subd. [a][3]).

Rationale: The rationale for the above finding is set forth in the Statement of Overriding Considerations in Exhibit A attached hereto. In summary, the following mitigation measure would substantially reduce the Project's impact to conversion of Prime Farmland to non-agricultural uses by requiring preservation of agricultural land offsite, however, the City Council finds that even with the implementation of the mitigation measure, the impact would not be reduced to a less than significant level:

MM 3.7.2: Prior to issuance of a building permit, the applicant shall identify agricultural acreage in close proximity to the project area to permanently protect in perpetuity as an agricultural use or pay an Agricultural Land Mitigation fee to the City of Lodi. Said fee is to be determined by the pending adoption of an ordinance of the City establishing a fee mitigation program to offset the loss of agricultural land to future development. In the event said ordinance is not effective at the time building permits are requested, the applicant shall pay a fee to the Central Valley Land Trust (Central Valley Program) or other equivalent entity to offset the loss of the Prime Farmland.

As a supplement to substantial mitigation identified above and the City Council's determination that full mitigation is not possible, the City Council also finds that pursuant to CEQA section 21083.3 and CEQA Guidelines section 15183, the issue of conversion of the prime agricultural farmland converted as part of this project was already addressed and analyzed in the EIR certified for the City's General Plan.

Findings per State CEQA Guidelines Section 15183:

- 1, CEQA section 21083.3, subdivision (b), and Guidelines section 15183, provide that where a development project is consistent with a City's General Plan for which an previous EIR was certified, the subsequent EIR for the development project need not analyze those significant effects that were analyzed in the General Plan EIR.
- 2, On June 12, 1991, the City of Lodi adopted its General Plan, documenting the City's comprehensive, long-term policies for development.
- 3, Pursuant to the adoption of its General Plan, the City Council certified an EIR which, in accordance with CEQA, properly addressed and analyzed significant and potentially significant impacts associated with the City's adoption of the General Plan.
- 4, The General Plan EIR specifically addressed and analyzed the environmental impacts associated with the conversion of prime agricultural land to urban uses, including conversion of the subject properties within the Project.
- 5, The General Plan EIR did not identify any feasible mitigation measures regarding environmental impacts associated with the conversion of prime agricultural land to urban uses.
- 6, The General Plan designates the property within the Project as "Planned Residential Reserve" for future development, consistent with the Planned Residential designation, which allows for homes, residential units, parks, open space, public and quasi-public uses, as well as other compatible uses.
- 7, The proposed project will consist of mixed residential, retail, office, park and open space, as well as a K-8 school, all of which are necessary to serve the residents of the development, and all of which are "compatible uses" and consistent with the Planned Residential Reserve designation, as it is defined in the General Plan and as stated among the assumptions articulated in Appendix A to the General Plan.
- 8, Under CEQA section 21083.3, subdivision (b), and Guidelines section 15183, in light of the certified General Plan EIR and the Project's consistency with the General Plan, the subsequent EIR for the Reynolds Ranch Project need not address or analyze the environmental impacts associated with the conversion of prime agricultural land to urban uses as these analyses have already been conducted and certified; nonetheless, the subsequent EIR does address and analyze these environmental impacts.
- 9, Because the General Plan EIR did not identify or impose any feasible mitigation measures regarding environmental impacts associated with the conversion of the subject prime agricultural land to urban uses, there are no specific mitigation measures that CEQA section 21083.3 requires be imposed as part of the subsequent Project EIR.
- 10, In accordance with CEQA provisions, including section 21083.3, the Project EIR addresses and analyzes those significant and potentially significant environmental impacts that are peculiar to the Project.

FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS THAT WOULD BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL WITH THE INCORPORATION OF MITIGATION MEASURES

As described in the EIR, the Project could result in significant impacts in addition to those described above; however, with the incorporation of the mitigation measures identified in the EIR those impacts would be avoided or reduced to a less-than-significant level. The Project's potentially significant impacts that are avoided or reduced to a less-than-significant level with the incorporation of mitigation measures, along with the lead agency's finding for each impact and rationale for making such finding, are described below.

A. Air Quality

Impact 3.1.1 (A): (Construction Generated Air Pollutants) Construction of the proposed project would generate air pollutants, including equipment exhaust and fugitive dust.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.1 of the EIR. In summary, the air pollutants emitted by construction of the project will be substantially reduced due to required compliance with SJVAPD Regulation VIII, Rule 9510, and incorporation of the following mitigation measure:

MM 3.1.1: In addition to implementing the "Dust Control Measures for Construction" required by San Joaquin Valley Air Pollution Control District (SJVAPCD), construction onsite shall implement the "Enhanced and Additional Control Measures for Construction Emissions of PM-10" identified in Table 6-3 of the SJVAPCD's *Guide for Assessing and Mitigating Air Quality Impacts*. The measures identified in Table 6-3 are as follows:

- Limit traffic speeds on unpaved roads to 15 mph;
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent;
- Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site;
- Install wind breaks at windward side(s) of construction areas;
- Suspend excavation and grading activity when winds exceed 20 mph; and
- Limit area subject to excavation, grading, and other construction activity at any one time.

Impact 3.1.3: (Exposure of Sensitive Receptors to Air Pollution) The proposed project would generate air pollutants that could affect sensitive receptors and the project involves siting sensitive receptors in the vicinity of air pollution generators.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.1 of the EIR. In summary, due to the buffers between sensitive receptors and pollutant sources designed within the project and compliance with SJVAPD Regulation VIII, Rule 9510, and Mitigation Measure 3.1.1 (as shown below), the project would not expose sensitive receptors to substantial pollutant concentrations.

MM 3.1.1: In addition to implementing the "Dust Control Measures for Construction" required by San Joaquin Valley Air Pollution Control District (SJVAPCD), construction onsite shall implement the "Enhanced and Additional Control Measures for Construction Emissions of PM-10" identified in Table 6-3 of the SJVAPCD's *Guide for Assessing and Mitigating Air Quality Impacts*. The measures identified in Table 6-3 are as follows:

- Limit traffic speeds on unpaved roads to 15 mph;
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent;
- Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site;
- Install wind breaks at windward side(s) of construction areas;
- Suspend excavation and grading activity when winds exceed 20 mph; and
- Limit area subject to excavation, grading, and other construction activity at any one time.

B. Biological Resources

Impact 3.2.2: (Habitat Conservation Plans) The proposed project is located within the area covered by the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMHCN).

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a](1)).

Rationale: The rationale for the above finding is set forth in Section 3.2 of the EIR. In summary, participating in the SJMHCP, as required by the following mitigation measure, would avoid any conflicts with the habitat conservation plan:

MM 3.2.2: Development on the subject site shall participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMHCN). This includes payment of Open Space Conversion fees in accordance with the fee schedule in-place at the time construction commences and implementation of the Plan's "Measures to Minimize Impacts" pursuant to Section 5.2 of the SJMHCP.

Impact 3.2.3(a): (Special-Status Species – Swainson's Hawk) The proposed project has a low potential to impact the Swainson's hawk by eliminating marginal foraging habitat and marginal nesting habitat.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.2 of the EIR. In summary, participating in the SJMHCP, as required by Mitigation Measure 3.2.2, would substantially reduce the project's impact on the species. In addition, Mitigation Measure 3.2.1 provides protection for Swainson's hawks and their nests, should the species unexpectedly inhabit the site.

MM 3.2.1: Clearing, grubbing, and/or removal of vegetation shall not occur during the bird-nesting season (from February 1 - September 31) unless a biologist with qualifications that meet the satisfaction of the City of Lodi conducts a preconstruction survey for nesting special-status birds including Swainson's hawk, western burrowing owl, white-tailed kite, California horned lark, and loggerhead shrike. If discovered, all active nests shall be avoided and provided with a buffer zone of 300 feet (500 feet for all raptor nests) or a buffer zone that otherwise meets the satisfaction of the California Department of Fish and Game. Once buffer zones are established, work shall not commence/resume within the buffer until the biologist confirms that all fledglings have left the nest. In addition to the preconstruction survey, the biologist shall conduct weekly nesting surveys of the construction site during the clearing, grubbing, and/or removal of vegetation phase, and any discovered active nest of a special-status bird shall be afforded the protection identified above. Clearing, grubbing, and/or removal of vegetation conducted outside the bird-nesting season (from October 1 - January 31) will not require nesting birds surveys.

MM 3.2.2: Development on the subject site shall participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMHCP). This includes payment of Open Space Conversion fees in accordance with the fee schedule in-place at the time construction commences and implementation of the Plan's "Measures to Minimize Impacts" pursuant to Section 5.2 of the SJMHCP.

Impact 3.2.3(b): (Special-Status Species – Western Burrowing Owl) The proposed project would eliminate marginal habitat for the western burrowing owl, including agricultural land with ground squirrel burrows that could provide nesting opportunities for the western burrowing owl. Construction of the proposed project also has the potential to impact individual burrowing owls, if any are present onsite during the time of construction.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.2 of the EIR. In summary, participating in the SJMHCP, as required by Mitigation Measure 3.2.2, would substantially reduce the project's impact on the species. In addition to providing offsite habitat banking, the SJMHCP requires a preconstruction survey be conducted onsite. If any burrowing owl individuals or active burrowing owl nests are found onsite during the preconstruction survey, the SJMHCP requires additional measures to be taken to protect all discovered individuals and nests. Mitigation Measure 3.2.1 also provides protection for western burrowing owls and their nests, should the species unexpectedly inhabit the site.

MM 3.2.1: Clearing, grubbing, and/or removal of vegetation shall not occur during the bird-nesting season (from February 1 - September 31) unless a biologist with qualifications that meet the satisfaction of the City of Lodi conducts a preconstruction survey for nesting special-status birds including Swainson's hawk, western burrowing owl, white-tailed kite, California horned lark, and loggerhead shrike. If discovered, all active nests shall be avoided and provided with a buffer zone of 300 feet (500 feet for all raptor nests) or a buffer zone that otherwise meets the satisfaction of the California Department of Fish and Game. Once buffer zones are established, work shall not commence/resume within the buffer until the biologist confirms that all fledglings have left the nest. In addition to the preconstruction survey, the biologist shall conduct weekly nesting surveys of the construction site during the clearing, grubbing, and/or removal of vegetation phase, and any discovered active nest of a special-status bird shall be afforded the protection identified above. Clearing, grubbing, and/or removal of vegetation conducted outside the bird-nesting season (from October 1 - January 31) will not require nesting birds surveys.

MM 3.2.2: Development on the subject site shall participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMHCPS). This includes payment of Open Space Conversion fees in accordance with the fee schedule in-place at the time construction commences and implementation of the Plan's "Measures to Minimize Impacts" pursuant to Section 5.2 of the SJMHCP.

Impact 3.2.3(c): (Special-Status Species – White-Tailed Kite) The proposed project has the potential to eliminate potential nesting and foraging habitat for the white-tailed kite. Additionally, construction of the proposed project has the potential to impact individual white-tailed kites or their nests if any are present onsite during the time of construction.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a](1)).

Rationale: The rationale for the above finding is set forth in Section 3.2 of the EIR. In summary, participating in the SJMHCP, as required by Mitigation Measure 3.2.2, would substantially reduce the project's impact on the species. In addition, Mitigation Measure 3.2.1 provides protection for white-tailed kites and their nests, should the species unexpectedly inhabit the site.

MM 3.2.1: Clearing, grubbing, and/or removal of vegetation shall not occur during the bird-nesting season (from February 1 - September 31) unless a biologist with qualifications that meet the satisfaction of the City of Lodi conducts a preconstruction survey for nesting special-status birds including Swainson's hawk, western burrowing owl, white-tailed kite, California horned lark, and loggerhead shrike. If discovered, all active nests shall be avoided and provided with a buffer zone of 300 feet (500 feet for all raptor nests) or a buffer zone that otherwise meets the satisfaction of the California Department of Fish and Game. Once buffer zones are established, work shall not commence/resume within the buffer until the biologist confirms that all fledglings have left the nest. In addition to the preconstruction survey, the biologist shall conduct weekly nesting surveys of the construction site during the clearing, grubbing, and/or removal of vegetation phase, and any discovered active nest of a special-status bird shall be afforded the protection identified above. Clearing, grubbing, and/or removal of vegetation conducted outside the bird-nesting season (from October 1 - January 31) will not require nesting birds surveys.

MM 3.2.2: Development on the subject site shall participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMHC). This includes payment of Open Space Conversion fees in accordance with the fee schedule in-place at the time construction commences and implementation of the Plan's "Measures to Minimize Impacts" pursuant to Section 5.2 of the SJMHCP.

Impact 3.2.3(d): (Special-Status Species – California Horned Lark) The proposed project has the potential to eliminate potential foraging and nesting habitat for the California horned lark from the site. Additionally, construction of the proposed project has the potential to impact individual California horned larks or their nests if any are present onsite during the time of construction.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.2 of the EIR. In summary, participating in the SJMHCP, as required by Mitigation Measure 3.2.2, would substantially reduce the project's impact on the species. In addition, Mitigation Measure 3.2.1 provides protection for California horned larks and their nests, should the species unexpectedly inhabit the site.

MM 3.2.1: Clearing, grubbing, and/or removal of vegetation shall not occur during the bird-nesting season (from February 1 - September 31) unless a biologist with qualifications that meet the satisfaction of the City of Lodi conducts a preconstruction survey for nesting special-status birds including Swainson's hawk, western burrowing owl, white-tailed kite, California horned lark, and loggerhead shrike. If discovered, all active nests shall be avoided and provided with a buffer zone of 300 feet (500 feet for all raptor nests) or a buffer zone that otherwise meets the satisfaction of the California Department of Fish and Game. Once buffer zones are established, work shall not commence/resume within the buffer until the biologist confirms that all fledglings have left the nest. In addition to the preconstruction survey, the biologist shall conduct weekly nesting surveys of the construction site during the clearing, grubbing, and/or removal of vegetation phase, and any discovered active nest of a special-status bird shall be afforded the protection identified above. Clearing, grubbing, and/or removal of vegetation conducted outside the bird-nesting season (from October 1 - January 31) will not require nesting birds surveys.

MM 3.2.2: Development on the subject site shall participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMHC). This includes payment of Open Space Conversion fees in accordance with the fee schedule in-place at the time construction commences and implementation of the Plan's "Measures to Minimize Impacts" pursuant to Section 5.2 of the SJMHCP.

Impact 3.2.3(e): (Special-Status Species – Loggerhead Shrike) The proposed project has the potential to eliminate suitable nesting and foraging habitat for the loggerhead shrike, and construction of the proposed project has the potential to impact individual loggerhead shrikes or their nests if any are present onsite during the time of construction.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.2 of the EIR. In summary, participating in the SJMHCP, as required by Mitigation Measure 3.2.2, would substantially reduce the project's impact on the species. In addition, Mitigation Measure 3.2.1 provides protection for loggerhead shrikes and their nests, should the species unexpectedly inhabit the site.

MM 3.2.1: Clearing, grubbing, and/or removal of vegetation shall not occur during the bird-nesting season (from February 1 - September 31) unless a biologist with qualifications that meet the satisfaction of the City of Lodi conducts a preconstruction survey for nesting special-status birds including Swainson's hawk, western burrowing owl, white-tailed kite, California horned lark, and loggerhead shrike. If discovered, all active nests shall be avoided and provided with a buffer zone of 300 feet (500 feet for all raptor nests) or a buffer zone that otherwise meets the satisfaction of the California Department of Fish and Game. Once buffer zones are established, work shall not commence/resume within the buffer until the biologist confirms that all fledglings have left the nest. In addition to the preconstruction survey, the biologist shall conduct weekly nesting surveys of the construction site during the clearing, grubbing, and/or removal of vegetation phase, and any discovered active nest of a special-status bird shall be afforded the protection identified above. Clearing, grubbing, and/or removal of vegetation conducted outside the bird-nesting season (from October 1 - January 31) will not require nesting birds surveys.

MM 3.2.2: Development on the subject site shall participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMHCP). This includes payment of Open Space Conversion fees in accordance with the fee schedule in-place at the time construction commences and implementation of the Plan's "Measures to Minimize Impacts" pursuant to Section 5.2 of the SJMHCP.

Impact 3.2.4: The project site contains one tree that is protected under San Joaquin County's tree protection ordinance. This tree is a valley oak that would be classified as a "Heritage Oak Tree" by the County's ordinance. Development of the project site has the potential to either remove this tree or damage this tree during construction.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.2 of the EIR. In summary, the following mitigation measure would substantially reduce the project's potential to impact the oak tree onsite:

MM 3.2.3: Regardless of whether the project develops in a manner that is subject to the San Joaquin County tree protection ordinance (San Joaquin County Code Division 15, Natural Resources Regulations; Chapter 9-1505, Trees), the proposed project shall comply with the ordinance's "Replacement" requirements (Section 9-1505.4) and "Development Constraints" (Section 9-1505.5).

C. Cultural Resources

Impact 3.3.1: (Historic Resources) The proposed project would adaptively reuse the Morse-Skinner Ranch House and water tower, a significant historic resource listed on the National Register of Historic Places (NRHP) and eligible for listing on the California Register of Historical Resources (CRHR). The proposed Development Plan and subsequent development of the balance of the 220-acre project site could result in the demolition of a Moose Lodge facility, 12 residences, and ancillary structures. None of these structures are known or expected to be historically significant per Section 15064.5 of the State CEQA Guidelines. However, none of these structures have been evaluated by an architectural historian for historic significance. As such, it cannot be precluded that the removal, alteration, or demolition of these structures would not result in significant impacts on historical resources.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.3 of the EIR. In summary, the Mitigation Measures 3.3.1, 3.3.2, and 3.3.3 would substantially reduce the project's potential to impact historical resources. Mitigation 3.3.1 requires any alterations to the Morse-Skinner Ranch property to be conducted in accordance with the standards set forth by the Secretary of the Interior, and Mitigation Measures 3.3.2 and 3.3.3 require alterations of any other significant historical resources discovered onsite to be conducted in accordance with the standards set forth by the Secretary of the Interior.

MM 3.3.1: The Morse-Skinner Ranch House and water tank, including the one acre parcel on which it is situated, is listed on the NRHP and it is therefore a historical resource eligible for the CRHR. Any adaptive reuse of the Morse-Skinner Ranch property shall comply with standards set forth by the Secretary of the Interior.

MM 3.3.2: The residences, barn, and Moose Lodge that are situated within the 60 acres included in the Development Plan shall be evaluated for the CRHR. Some of these resources, such as the Moose Lodge, were clearly constructed within the last 50 years and are unlikely to be eligible for the CRHR. However, some of the residences may be more than 50 years old and their architectural significance shall be evaluated by a qualified architectural historian. This process includes the recording of the buildings and structures on Department of Parks and Recreation Historic Structures Forms (DPR 523). Any structures that are found to be ineligible for the CRHR warrant no further consideration. If any of those structures are determined to be CRHR eligible, the California Office of Historic Preservation (OHP) shall be consulted to determine the significance of the discovery, and any resources that are CRHR eligible shall be treated in accordance with the Secretary of Interior Standards.

MM 3.3.3: The CRHR eligibility of existing buildings and structures within the 160-acre Concept Plan shall be determined. This will require the services of a qualified architectural historian. This process includes the recording of the buildings and structures on Department of Parks and Recreation Historic Structures Forms (DPR 523). Any structures that are found to be ineligible for the CRHR warrant no further consideration. If any of those structures are determined to be CRHR eligible, the California Office of Historic Preservation (OHP) shall be consulted to determine the significance of the discovery, and any resources that are CRHR eligible shall be treated in accordance with the Secretary of Interior Standards.

Impact 3.3.2: (Archaeological Resources) Although not anticipated, grading and construction activities onsite could encounter previously undiscovered archaeological resources.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.3 of the EIR. In summary, the following mitigation measure, which requires construction activities to halt if archaeological resources are discovered onsite, would substantially reduce the project's potential to impact archaeological resources:

MM 3.3.4: The Yokuts who inhabited the project area prehistorically left no apparent archaeological remains on the ground surface within the Study Area. Previous studies in the Central Valley have shown that archaeological sites are sometimes buried (Moratto 1984). If buried Native American archaeological resources are discovered during the project activities, work shall stop immediately in the vicinity of the discovery, until a qualified archaeologist that meets the satisfaction of the City of Lodi determines the significance of the discovery and develops plans to preserve the significance of any discovered CRHR eligible resources. Such archaeological resource preservation plans shall be implemented to the satisfaction of the City of Lodi.

Impact 3.3.3: (Paleontological and Unique Geologic Features) Although not anticipated, grading and construction activities could encounter previously undiscovered paleontological resources.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.3 of the EIR. In summary, the following mitigation measure, which requires construction activities to halt if paleontological resources are discovered onsite, would substantially reduce the project's potential to impact archaeological resources:

MM 3.3.5: Should paleontological resources be encountered during construction excavation, the project proponent shall halt excavation in the vicinity of the discovery and contact a qualified vertebrate paleontologist to evaluate the significance of the find and make recommendations for collection and preservation of discovered paleontological resources in a written report to the City of Lodi. Said recommendations shall be implemented to the satisfaction of the City of Lodi.

D. Hazards and Hazardous Materials

Impact 3.5.1: (On-site Hazardous Materials) The Phase I Environmental Site Assessment determined that site conditions at certain locations on the project site constitute potentially significant impacts or potential impediments to future development of the project site and, therefore, require mitigation.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.5 of the EIR. In summary, implementation of the following mitigation measures would substantially lessen the potential for hazardous conditions to affect the proposed project:

MM 3.5.1: The City of Lodi shall not issue permits for construction activities on the project site unless the portion of the site involved in the requested permit has been deemed clear of recognized environmental conditions in writing by a California State Registered Environmental Assessor with HAZWOPER 40-hour OSHA Certification. Portions of the site require further hazardous material investigations to make a determination of the presence of recognized environmental conditions. Such investigations shall be conducted in accordance with the most recent American Society for Testing and Materials (ASTM) standards, such as the ASTM's "Standard Guide for Environmental Site Assessments: Phase I [or II] Environmental Site Assessment Process". In total, the updated hazardous material investigations of the site shall minimally evaluate the areas previously inaccessible to hazardous material investigators, the southern-most barn on the eastern portion of APN 058-110-41, the contents of the vault in the shed on the southern portion of APN 058-110-04, the function of the "water" basin and its previous discharges must be determined, the exact location of the 10 inch Kinder Morgan refined product pipeline, the areas adjacent to the Union Pacific Railroad right-of-way, and the onsite residential structures and buildings which were previously inaccessible.

MM 3.5.2: A Phase II Environmental Site Assessment (ESA) shall be completed prior to the approval of individual development plans within the project area. Said Phase II ESA report shall include subsurface investigations and recommended remedial actions, if required, at specific locations as recommended in the Phase I Environmental Site Assessment prepared by Kleinfelder, Inc., or any subsequent updated report. The following additional requirements shall apply:

- a. Soil sampling and analysis for pesticides shall only be conducted in those areas of the site that are still agricultural; and
- b. If levels of organochloride pesticides are found to be in excess of applicable residential or commercial Preliminary Remediation Goals/Maximum Contaminant Limits (PRGs/MCLs) then an evaluation shall be required to determine the depth and extent of these elevated concentrations.

MM 3.5.3: If subsurface structures are encountered during site development or excavation onsite, care should be exercised in determining whether or not the subsurface structures contain asbestos. If they contain asbestos, it shall be removed, handled, transported, and disposed of in accordance with local, state, and federal laws and regulations.

MM 3.5.4: The wells onsite should not be used as a water supply for any of the proposed land uses unless the water from said wells is tested and found to meet state and federal drinking water standards as confirmed by the City's water department.

MM 3.5.5: An asbestos and lead paint assessment survey shall be conducted for structures constructed prior to 1980, if they are to be renovated or demolished prior to future development on the project site. The following requirements apply:

- a. A Certified Cal-OSHA Asbestos Consultant shall conduct said surveys. If asbestos is detected, all removal shall be completed by a licensed asbestos abatement contractor; and
- b. Any lead paint that is detected and which is in poor condition shall be removed prior to building demolition.

MM 3.5.6: All locations of underground storage tanks (USTs) on the project site, where past releases are known or are suspected, shall be subject to further investigation and analysis to confirm or deny evidence of past releases (See Mitigation Measure 3.5.3). Said investigations shall be conducted in accordance with Environmental Protection Agency (EPA) guidelines and per Leaking Underground Storage Tank (LUST) guidelines.

MM 3.5.7: Septic systems which are associated with existing residences shall be removed and/or abandoned in accordance with local, state, and federal regulations. Soil samples shall be collected in the vicinity of said septic systems and leach lines to determine the potential for hazardous materials discharged from the septic systems. Any removal of septic systems shall be performed with oversight provided by the San Joaquin County Environmental Health Department.

MM 3.5.8: Miscellaneous debris located throughout the project site, and described in the Phase I ESA, shall be removed prior to development activities. Any petroleum products and/or hazardous materials encountered should be disposed of or recycled in accordance with local, state, and federal regulations.

MM 3.5.9: Various sized buckets and drums containing petroleum products were noted at several locations on the project site in the Phase I ESA. All such drums and buckets shall be inventoried and removed from the project site in accordance with local, state, and federal regulations. In addition, soil sampling shall be conducted at those bucket and drum locations where staining was noted (See Mitigation Measure 3.5.3).

MM 3.5.10: The vault located in the storage shed along the southern portion of APN 058-110-04 shall be investigated and its nature determined prior to development activity occurring on the project site.

MM 3.5.11: Limited soils samples shall be taken along the project site boundary adjacent to the Union Pacific Railroad right-of-way to determine the presence and levels of metals or hazardous materials associated with the railroad right-of-way.

E. Hydrology and Water Quality

Impact 3.6.2: (Stormwater Drainage System Capacity and Polluted Runoff) The proposed project would replace the existing informal and/or non-existent drainage system onsite with an engineered drainage system. With the proper design the proposed drainage system will have adequate stormwater capacity and would not be a substantial source of polluted runoff.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.6 of the EIR. In summary, the following mitigation measures would substantially reduce the project's potential to impact the stormwater drainage system:

MM 3.6.1: To the satisfaction of the City of Lodi Public Works Department, a detailed engineering analysis for the development of a stormwater collection system that will serve the project and potential future development between Reynolds Ranch and the Woodbridge Irrigation District (WID) canal shall be prepared. Said analysis shall include sizing of the pipe network and sizing of the detention basins and pump station discharging to the WID canal.

MM 3.6.2: To the satisfaction of the City of Lodi Public Works Department, the proposed pump station shall include provisions for managing the discharge flow rate to serve the needs of the City and to satisfy the terms of the discharge agreement.

MM 3.6.3: To the satisfaction of the City of Lodi Public Works Department, all drainage facilities shall be constructed in conformance with the standards and specifications of the City of Lodi.

MM 3.6.4: To the satisfaction of the City of Lodi Public Works Department, the detention basin shall include a low flow facility to enhance water quality and to help manage nuisance flows. Other water quality control features shall be incorporated into the project design to improve water quality of the storm discharge to the satisfaction of the City of Lodi Public Works Department.

MM 3.6.5: To the satisfaction of the City of Lodi Public Works Department, as part of the design process, a detailed drainage master plan shall be developed to identify collection and storage facilities, phasing and other appurtenances needed to insure that the system meets the requirements of the City drainage system.

MM 3.6.6: To the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required drainage infrastructure to serve the demands of the project. Funding of drainage infrastructure in accordance with Conditions of Approval for the project shall satisfy this mitigation measure.

Impact 3.6.5: (Alteration of the Existing Drainage Pattern of the Site or Area, Including through the Alteration of the Course of a Stream or River, or Substantially Increase the Rate or Amount of Surface Runoff in a Manner Which Would Result in Flooding On- or Off-Site). The proposed project would alter the site's drainage pattern. However, with the proper design of the proposed drainage system, the proposed drainage pattern change would not result in on- or off-site flooding.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.6 of the EIR. In summary, the following mitigation measures would substantially reduce the project's impact on drainage patterns:

MM 3.6.1: To the satisfaction of the City of Lodi Public Works Department, a detailed engineering analysis for the development of a stormwater collection system that will serve the project and potential future development between Reynolds Ranch and the Woodbridge Irrigation District (WID) canal shall be prepared. Said analysis shall include sizing of the pipe network and sizing of the detention basins and pump station discharging to the WID canal.

MM 3.6.2: To the satisfaction of the City of Lodi Public Works Department, the proposed pump station shall include provisions for managing the discharge flow rate to serve the needs of the City and to satisfy the terms of the discharge agreement.

MM 3.6.3: To the satisfaction of the City of Lodi Public Works Department, all drainage facilities shall be constructed in conformance with the standards and specifications of the City of Lodi.

MM 3.6.4: To the satisfaction of the City of Lodi Public Works Department, the detention basin shall include a low flow facility to enhance water quality and to help manage nuisance flows. Other water quality control features shall be incorporated into the project design to improve water quality of the storm discharge to the satisfaction of the City of Lodi Public Works Department.

MM 3.6.5: To the satisfaction of the City of Lodi Public Works Department, as part of the design process, a detailed drainage master plan shall be developed to identify collection and storage facilities, phasing and other appurtenances needed to insure that the system meets the requirements of the City drainage system.

MM 3.6.6: To the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required drainage infrastructure to serve the demands of the project. Funding of drainage infrastructure in accordance with Conditions of Approval for the project shall satisfy this mitigation measure.

F. Land Use

Impact 3.7.1: (The construction of the proposed project could result in significant land use conflicts with the surrounding region) Buffer zones and other physical features have been incorporated into the design of the project to reduce potential land use conflicts; however, mitigation measures are required to lessen impacts related to surrounding agricultural uses.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.7 of the EIR. In summary, the following mitigation measures would substantially reduce the project's impacts related to land use conflicts:

MM 3.7.1: To reduce agricultural/residential land use incompatibilities, the following shall be required:

- a. The applicant shall inform and notify prospective buyers in writing, prior to purchase, about existing and on-going agricultural activities in the immediate area in the form of

a disclosure statement. The notifications shall disclose that the residence is located in an agricultural area subject to ground and aerial applications of chemical and early morning or nighttime farm operations which may create noise, dust, et cetera. The language and format of such notification shall be reviewed and approved by the City Community Development Department prior to recordation of final maps. Each disclosure statement shall be acknowledged with the signature of each prospective owner. Additionally, each prospective owner shall also be notified of the City of Lodi and the County of San Joaquin Right-to-Farm Ordinance.

- b. The conditions of approval for tentative maps shall include requirements ensuring the approval of a suitable design and the installation of a landscaped open space buffer area, fences, and/or walls around the perimeter of the project site affected by the potential conflicts in land use to minimize conflicts between project residents, non-residential uses, and adjacent agricultural uses prior to occupancy of adjacent houses.
- c. Prior to recordation of the final maps for homes adjacent to existing agricultural operations, the applicant shall submit a detailed wall and fencing plan for review and approval by the Community Development Department.

G. Noise

Impact 3.8.1: (Temporary Noise Generation) Construction of the proposed project would temporarily generate noise above levels existing without the project. The project requires mitigation measures that will reduce the potentially significant impacts to a less than significant level.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.8 of the EIR. In summary, the following mitigation measures would substantially reduce the project's impact from the temporary noise generation:

MM 3.8.1: All construction shall require a permit and shall be limited to the hours of 7 a.m. to 10 p.m. Staging areas shall be located away from existing residences, and all equipment shall use properly operating mufflers.

MM 3.8.2: The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.

Impact 3.8.2: Increased traffic would generate noise levels above levels existing without the project.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.8 of the EIR. In summary, the following mitigation measures would substantially reduce the project's impacts related to vehicular noise by requiring appropriate design and construction of the site and structures as well as requiring proper noise insulation to be installed on impacted structures:

MM 3.8.3: Habitable second-story residential space, located within 245 feet of the Harney Lane centerline, must have upgraded structural protection including dual-paned windows and supplemental ventilation (air conditioning) allowing for window closure.

MM 3.8.4: Outdoor recreational space within 145 feet of the Harney Lane centerline must be shielded by solid perimeter walls of 6-7 feet in height or by landscape berms or any combination of the two to achieve the desired noise attenuation.

MM 3.8.5: New residential development both north and south of Harney Lane shall require installation of 6-7 foot high sound walls or landscape berming, or any combination of the two to achieve the desired noise attenuation. Current and future homes located across Harney Lane will be masked from noise associated with major retail uses by the already elevated ambient background freeway noise and by setback distances of approximately 300 feet.

Impact 3.8.3: Location of residential uses in proximity to noise sources can result in exposure to noise levels in excess of standards.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.8 of the EIR. In summary, the following mitigation measures would substantially reduce the project's impact of placing sensitive receptors in the vicinity of noise sources by requiring appropriate design and construction of the site and structures as well as requiring proper noise insulation to be installed on impacted structures:

MM 3.8.3: Habitable second-story residential space, located within 245 feet of the Harney Lane centerline, must have upgraded structural protection including dual-paned windows and supplemental ventilation (air conditioning) allowing for window closure.

MM 3.8.4: Outdoor recreational space within 145 feet of the Harney Lane centerline must be shielded by solid perimeter walls of 6-7 feet in height or by landscape berms or any combination of the two to achieve the desired noise attenuation.

MM 3.8.5: New residential development both north and south of Harney Lane shall require installation of 6-7 foot high sound walls or landscape berming, or any combination of the two to achieve the desired noise attenuation. Current and future homes located across Harney Lane will be masked from noise associated with major retail uses by the already elevated ambient background freeway noise and by setback distances of approximately 300 feet.

MM 3.8.6: Homes situated adjacent to the train tracks require either a setback distance of 430 feet or a 6 foot sound wall, landscape berming, or any combination of the two to mitigate train noise to 65 dB at the residential exterior and ground floor interior. This attenuation may be achieved by the design of the mini-storage facility. An interior noise analysis should be submitted in conjunction with building plan check, to verify that structural

noise reduction will be achieved in a livable upstairs space, at the perimeter tier of homes by the specified structural components (windows, walls, doors, roof/ceiling assembly) shown on building plans. Disclosure of the presence of the tracks should be included in all real estate transfer documents to anyone buying or leasing a property within 500 feet of the train tracks.

MM 3.8.7: A detention basin pump system will be required to empty the detention basin. The planned proximity of homes to the basin would likely require substantial shielding if such pumps were to operate at night. To the satisfaction of the City of Lodi, noise levels at residences in proximity to any required basin pump system shall be attenuated to meet the City's noise standards. Said attenuation can be achieved through enclosing the pump system or using upgraded sound rating building materials in nearby residences.

MM 3.8.8: Noisiest agricultural activities will have substantial setback from onsite residences, particularly as the site is progressively developed. Buyer notification of the presence of possible agricultural activity noise shall be made as part of any property transfer documents.

Impact 3.8.4: The proposed project would place sensitive receptors in the vicinity of train noise.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.8 of the EIR. In summary, the following mitigation measure would substantially reduce the project's impact of placing sensitive receptors in the vicinity of train noise by requiring appropriate design and construction of the site and structures, which may include installing noise insulation on impacted structures:

MM 3.8.6: Homes situated adjacent to the train tracks require either a setback distance of 430 feet or a 6 foot sound wall, landscape berming, or any combination of the two to mitigate train noise to 65 dB at the residential exterior and ground floor interior. This attenuation may be achieved by the design of the mini-storage facility. An interior noise analysis should be submitted in conjunction with building plan check, to verify that structural noise reduction will be achieved in a livable upstairs space, at the perimeter tier of homes by the specified structural components (windows, walls, doors, roof/ceiling assembly) shown on building plans. Disclosure of the presence of the tracks should be included in all real estate transfer documents to anyone buying or leasing a property within 500 feet of the train tracks.

Impact 3.8.5: Detention basin pump noise could result in permanent increases in ambient noise levels above levels existing without the project.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.8 of the EIR. In summary, the following mitigation measure would substantially reduce the project's pump noise impacts by requiring appropriate design and construction of the site and structures, which may include installing noise insulation on impacted structures:

MM 3.8.7: A detention basin pump system will be required to empty the detention basin. The planned proximity of homes to the basin would likely require substantial shielding if such pumps were to operate at night. To the satisfaction of the City of Lodi, noise levels at residences in proximity to any required basin pump system shall be attenuated to meet the City's noise standards. Said attenuation can be achieved through enclosing the pump system or using upgraded sound rating building materials in nearby residences.

Impact 3.8.6: Agricultural noise resulting from existing on-going agricultural operations in the vicinity of the project site could impact sensitive receptors onsite.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.8 of the EIR. In summary, the following mitigation measure would substantially reduce the project's noise impact of placing sensitive receptors in the vicinity of agricultural operations:

MM 3.8.8: Noisiest agricultural activities will have substantial setback from onsite residences, particularly as the site is progressively developed. Buyer notification of the presence of possible agricultural activity noise shall be made as part of any property transfer documents.

H. Public Services

Impact 3.9.3: (Fire Service) The project involves the development of an office building, retail commercial center, a mini-storage facility, residential structures, a school, and parkland and, as a result, would increase the structures and population served by the Lodi Fire Department.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.9 of the EIR. In summary, the following mitigation measure would substantially reduce the project's impact on fire service by requiring a fire station to be built onsite:

MM 3.9.1: A fire station is proposed to be constructed as part of the proposed project and will be constructed during Phase II development of the site.

I. Traffic and Circulation

Impact 3.10.1: The project will require roadway improvements as part project development for an internal roadway network as well as address impacts resulting from increased travel demand on surrounding streets. As a result, identified transportation improvements are needed to mitigate the potential project traffic impacts upon project build-out.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.10 of the EIR. In summary, the following mitigation measure would substantially reduce the project's impact resulting from increased travel demand by requiring appropriate final design and construction of roadway improvements:

MM 3.10.1: Prior to approval of the first tract or parcel map with the Reynolds Ranch Project, a roadway improvement plan for "A," "B," and "Loop" Streets including a detail plan for an off-street multi-use trail to be utilized within the internal network of trails and pedestrian access within the project shall be required for review and approval by the City's Public Works Department. Additionally, the roadway improvement plan shall identify all recommended intersection controls and geometrics as noted under "Proposed Improvements" in Section 3.10.7 of this document.

Impact 3.10.2: A development of this size and scope will likely be developed over a period of time and in a phased manner. To accommodate a phased development, necessary roadway improvements shall be provided to support the pace of development. A comprehensive and coordinated approach will also be needed to address concurrent development in surrounding areas adjacent to the project.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.10 of the EIR. In summary, the following mitigation measure would substantially reduce the project's potential impact by requiring a coordinated roadway phasing plan:

MM 3.10.2: Prior to approval of the first tract or parcel map for Reynolds Ranch Project, the Public Works Department shall review and approve a roadway phasing and improvement plan to ensure that timing of new roadway construction and improvements will be provided as necessary to serve and support new development for "Year 2008 Pre-Project Plus Phase I Project Conditions." The phasing plan shall also note completion and timing of roadway improvements by other adjacent development to coincide with proposed improvements on the same facilities by the proposed project.

Impact 3.10.3: Because the project has not identified a specific development plan (layout) for the residential, school, mini-storage and public use facilities, an evaluation of the internal roadway network by a qualified Traffic Engineer shall be necessary once a development plan can be defined to ensure that any potential access or circulation conflicts can be addressed and minimized.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.10 of the EIR. In summary, the following mitigation measure would substantially reduce the project's potential impact by requiring a detailed roadway improvement plan:

MM 3.10.3: As part of the subdivision review process, a roadway improvement plan shall include, but not be limited to providing, the following items: 1) identify all entry/access points for all future development within the project area to ensure proper intersection control and signage, 2) show adequate sight distance in consideration of grading and landscaping at all intersections and drive entries, and 3) identify all bikeways, off-street multi-use trails and sidewalks within the project area. Submittal of the above information is intended to address any potential for vehicle and pedestrian conflicts in the development of the project roadway plan and ensure safe and adequate access for all residents and businesses within the project site.

Impact 3.10.4: Construction traffic will occur over time during project development. Because of existing and future residential land uses located near or adjacent to the development during construction, operation of such heavy equipment vehicles need to be considered.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.10 of the EIR. In summary, the following mitigation measure would substantially reduce the project's potential impact by requiring the development of a Traffic Control Plan:

MM 3.10.4: Proponents of development onsite shall submit a construction Traffic Control Plan to the Public Works Department for review and approval prior to commencing construction on the project and any related off-site improvements.

Impact 3.10.5: The project serving a largely future residential population will require critical fire and police services. Emergency vehicle access is considered a vital function as part of any future roadway network to accommodate a safe and efficient access for both future residents and critical emergency services.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.10 of the EIR. In summary, the following mitigation measure would substantially reduce the project's potential impact by requiring review and approval of the project's circulation system by the City of Lodi Police and Fire Departments:

MM 3.10.5: The design of the internal circulation system and vehicular access will be subject to review and approval by the City of Lodi's Police and Fire Departments prior to issuance any building permits for the project.

Impact 3.10.6: Future land uses for the project will be required to provide adequate off-street parking facilities. Available on-street parking on future roadways may be limited or, otherwise, prohibited.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.10 of the EIR. In summary, the following mitigation measure would substantially reduce the project's potential impact by requiring onsite developments to supply adequate parking:

MM 3.10.6: Prior to map approval and issuance of building permits, ensure that adequate parking demand is satisfied for all proposed uses (i.e. parks, commercial and residential development, etc.) in accordance to the City of Lodi Zoning Ordinance.

J. Utilities and Service Systems

Impact 3.11.4: (Increase in the Demand for Water Service) The proposed project would increase water demand. The increased demand could be accommodated by a water supply system that includes two new groundwater wells.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.11 of the EIR. In summary, the following mitigation measures would substantially reduce the project's impact on water service by requiring appropriate final design and construction of the project's water supply and distribution system:

MM 3.11.1: To the satisfaction of the City of Lodi Public Works Department, a new well shall be added in the project to support water needs for the project area and shall be included in the first phase of development. The triangular area by the Morse-Skinner Ranch House is a recommended area, although other sites may prove acceptable. A higher fire flow can be maintained by placing the well in the east portion of the project where office and retail fire flows will be higher.

MM 3.11.2: To the satisfaction of the City of Lodi Public Works Department, a second well shall be constructed as part of the second phase of development as demands indicate the need. Alternatively, since the project only necessitates a portion of a second well, the well could be constructed offsite and the development pay its fair share of the second well.

MM 3.11.3: Prior to improvement plan approval, a looped water pipeline plan will be developed for the project that will provide for fire flows within the project, connections to the existing City system and a phasing plan for pipe installation. This plan shall be reviewed and approved by the City Engineer.

MM 3.11.4: To the satisfaction of the City of Lodi Public Works Department, the development shall be assessed its fair share of the cost of developing additional water sources, including but not limited to participation in acquiring additional water rights, development and construction of surface water treatment or recharge the groundwater system, construction of water transmission facilities, and other related water infrastructure.

MM 3.11.5: To the satisfaction of the City of Lodi Public Works Department, as part of the design process, a detailed water master plan shall be developed to identify facilities, phasing and other facilities needed to insure that the water system for the project meets the requirements of the City water system.

MM 3.11.6: To the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required water infrastructure to serve the demands of the project. Funding of water infrastructure in accordance with Conditions of Approval for the project shall satisfy this mitigation measure.

Impact 3.11.5: (Increase in the Demand for Wastewater Service.) The proposed project would increase the demand for wastewater service. The increased demand could be accommodated by an onsite sewer system and improvements to wastewater infrastructure in the project vicinity.

Findings per State CEQA Guidelines Section 15091:

- ☒ Changes or alternatives have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect (Subd. [a][1]).

Rationale: The rationale for the above finding is set forth in Section 3.11 of the EIR. In summary, the following mitigation measures would substantially reduce the project's impact on wastewater service by requiring appropriate final design and construction of the project's wastewater system:

MM 3.11.7: To the satisfaction of the City of Lodi Public Works Department, a detailed engineering analysis for the development of a collection system that will serve the project area shall be prepared. Said analysis shall include sizing of the pipe network, sizing of the pump station modifications, and establishing timing for the pump station modifications.

MM 3.11.8: To reflect the investment that has been made by existing development and other potential developers, a financing mechanism shall be developed and implemented to the satisfaction of the City of Lodi to fund the modification of the pump station and the station outfall force mains. Funding of the pump station in accordance with Conditions of Approval for the project shall satisfy this mitigation measure.

MM 3.11.9: To the satisfaction of the City of Lodi Public Works Department, and as part of the design process, a detailed sewer master plan shall be developed to identify facilities, phasing and other facilities needed to insure that the wastewater system meets the requirements of the City sewer system.

MM 3.11.10: To the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required sewer infrastructure to serve the demands of the project. Funding of sewer infrastructure in accordance with Conditions of Approval for the project shall satisfy this mitigation measure.

FINDINGS REGARDING PROJECT ALTERNATIVES

In accordance with Section 15126.6 of State CEQA Guidelines, the EIR describes a reasonable range of alternatives to the project that could reduce environmental impacts of the project. The EIR has evaluated the comparative merits of these alternatives and rejected them in favor of the project as summarized below.

Alternative 1: No Project/No Development Alternative

The No Project/No Development alternative would have less air quality, traffic, noise, and infrastructure impacts than the proposed project. This alternative would avoid the significant impacts of the project and, thus, was identified as the environmentally superior alternative. This alternative would also preserve the existing prime farmlands for now and negate the unavoidable impact associated with loss of the prime agricultural land (even after the mitigation is implemented). The General Plan and the EIR for the General Plan, however, anticipate development of this area and the ultimate associated loss of the farmland. In addition, Alternative 1 would leave cultural resources that have been protected through mitigation measures included in the Reynolds Ranch Project EIR, unprotected, and therefore, could lead to future destruction of these notable resources. Furthermore, this alternative would eliminate potential for payment of SJMHCP mitigation fees, which would be used to purchase and collect offsite habitat and preserve land and biological resources. Finally, the No Project/No Development Alternative would not meet the basic project objective of providing an economically viable development to support a mix of commercial, residential and open space/recreational opportunities as the City grows and expands beyond its urban boundaries. Thus, this alternative would not attain the basic goals and objectives of the City. The lead agency finds this sufficient basis to reject this alternative.

Alternative 2: Reduced Scale Residential

The Reduced Scale Residential alternative would reduce the residential units by approximately 23%. Similar to the proposed project, Alternative 2 would develop the entire site and would require similar on- and off-site improvements. The EIR finds that this alternative would have marginally less environmental impacts on energy consumption, public services, traffic, and utilities. Air quality, biological resources, cultural resources, hazardous materials, hydrology, land use, and noise would produce similar, to negligible differences in environmental impacts. However, the Reduced Scale Residential alternative would provide less economical viability and would potentially impair the market and economic feasibility to accommodate development of the site. Alternative 2 would potentially attain the basic project objective of providing a mix of commercial, residential, and open space/recreational opportunities, but would not avoid or substantially reduce the significant impacts of the project. As such, this alternative is not environmentally superior. The lead agency finds that any one of these reasons would be sufficient basis to reject this alternative.

Alternative 3: Reduced Scale Retail/Park-n-Ride

The Reduced Scale Retail/Park-n-Ride alternative would reduce the proposed retail build-out by approximately 13%, to be replaced with a park-n-ride facility, including a surface parking facility of up to 75 spaces on a 5.5-acre site with the remainder of the proposed retail site development to remain the same as the proposed project. Alternative 3 would potentially attain the basic project objective of providing a mix of commercial, residential, and open space/recreational opportunities. The EIR finds that this alternative would have marginally less environmental impacts on air quality, energy consumption, noise, and traffic. Biological resources, cultural resources, hazardous materials, public services, and utilities would produce similar, to negligible differences in environmental impacts. Due to marginally less air quality impacts, the EIR identifies this alternative as environmentally superior to the project; however, Alternative 3 would not avoid or substantially reduce any of the significant impacts of the project. This alternative is also identified as the second environmentally superior alternative given that CEQA requires identification of a second environmentally superior alternative when the first is the no-project alternative. Further, land use and planning impacts would result in a reduction in market

and economic feasibility to accommodate development of the site. The adverse impact of the economic feasibility to develop the site would thereby affect project financing, which could inhibit the ability to provide service and facilities for the entire project site. The lead agency finds that any one of these reasons would be sufficient basis to reject this alternative.

FINDINGS REGARDING THE MITIGATION MONITORING AND REPORTING PROGRAM

In accordance with the requirements of Section 21081(a) and 21081.6 of the Public Resources Code, the City of Lodi makes the following additional findings:

- That a mitigation monitoring and reporting program shall be implemented for future developments on the project site, as adopted by the lead agency;
- That through covenant and agreement, prior to the recordation of a final map, certificate of occupancy, and/or building permit for the project, the City of Lodi shall identify an appropriate licensed professional to provide certification that compliance with the required mitigation measures has been effected;
- Site plans and/or building plans, submitted for approval by the responsible monitoring agency, shall include required mitigation measures/conditions; and
- That an accountable enforcement agency and monitoring agency shall be identified for mitigation measures/conditions adopted as part of the decision-maker's final determination.

EXHIBIT A

STATEMENT OF OVERRIDING CONSIDERATIONS

Approval of the Project will result in a significant environmental effect that cannot be completely avoided even with the adoption of all feasible mitigation measures. The following statement of overriding considerations states the City Council's reasons for adopting the Project despite its significant and unavoidable impacts. The lead agency declares that any one of the reasons provided below would be sufficient to justify approval of the Project. The substantial evidence demonstrating the benefits of the Project are found in these findings, and in the documents found in the record of proceedings.

The City Council hereby declares that, pursuant to State CEQA Guidelines, section 15093, the City Council has balanced the benefits of the Project against its unavoidable environmental impacts in determining whether to approve the Project. The City Council chooses to approve the Project despite its significant and unavoidable environmental effect because, in its view, the City Council finds that the benefits of the Project outweigh its unavoidable adverse environmental impacts, and thereby make those impacts "acceptable."

The City Council has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project, and hereby binds itself to adopt the mitigation measures set forth in the Mitigation Monitoring Program.

The City Council hereby declares that to the extent any mitigation measures recommended in the EIR and/or proposed Project could not be incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts. The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of Project objectives and/or of specific economic, social and other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project, and having weighed the benefits of the Project against its unavoidable adverse impacts after mitigation, the City Council has determined that the following social, economic, and environmental benefits of the Project outweigh the potential unavoidable adverse impacts and render those potential adverse environmental impacts acceptable based upon the following overriding considerations:

- The build-out of the proposed project would assist the City in meeting its regional housing needs as described in the City's Housing Element, by providing a variety of housing products available to a variety of household income categories within an area designated in the City's General Plan as Planned Residential Reserve within the City's Sphere of Influence.
- The project incorporates New Urbanist principles to promote a more sustainable and pedestrian-oriented community.
- The project will result in the construction of an improved interchange from Highway 99 onto Harney Lane, as well as other transportation improvements adjacent to the project site prior to project build-out. The proposed transportation improvements will further promote traffic circulation in the City and its surrounding Sphere of Influence.

- The project will provide increased commercial areas, thereby increasing the employment opportunities for the City's workforce.
- The project will provide additional shopping and dining opportunities creating a valuable resource for residents and will promote a town development that can serve as a community gathering place.
- The project will increase the City's trails, recreational facilities, and open-space areas, which will serve not only the occupants of the proposed residential areas, but also the surrounding community.
- The project includes a school site that would aid in meeting the projected educational needs of the project area and vicinity.
- The project provides for the development of a fire station that would improve fire service.
- The project will generate significant revenue for the City. The City finds that local tax revenues, such as sales tax generated by retail stores and property taxes from residential areas, are critically important to the City's revenues in order to maintain a strong revenue base to provide services to the community and also to protect against erosion of the City's revenue base due to redistribution of City revenues by the State Legislature.

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Reynolds Ranch Project outweigh any significant adverse environmental impacts of the Project and that each of the Project benefits outweighs the adverse environmental effects identified in the EIR and, therefore, finds those impacts to be acceptable.

ATTACHMENT B

MITIGATION MONITORING PROGRAM
REYNOLDS RANCH PROJECT

MITIGATION MONITORING PROGRAM

The Executive Summary section of this EIR identifies the Mitigation Measures that will be implemented to offset the impacts resulting from the proposed project. Section 21081.6 of CEQA requires the public agency to adopt a monitoring program of mitigations to ensure the enforceability of the mitigations identified in the CEQA document. This section of CEQA also identifies guidelines for implementation of a monitoring program. The monitoring program is required to be completed prior to certification of a Final EIR.

The following Mitigation Monitoring Program (MMP) identifies all the mitigations identified in the EIR along with the party responsible for completing the mitigations and the timeframe for implementation. This MMP satisfies the requirements of Section 21081.6 of CEQA.

**CITY OF LODI
REYNOLDS RANCH PROJECT
MITIGATION MONITORING PROGRAM**

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Air Quality						
<p>Mitigation Measure 3.1.1: In addition to implementing the "Dust Control Measures for Construction" required by San Joaquin Valley Air Pollution Control District (SJVAPCD), construction onsite shall implement the "Enhanced and Additional Control Measures for Construction Emissions of PM-10" identified in Table 6-3 of the SJVAPCD's <i>Guide for Assessing and Mitigating Air Quality Impacts</i>. The measures identified in Table 6-3 are as follows:</p> <ul style="list-style-type: none"> • Limit traffic speeds on unpaved roads to 15 mph; • Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent; • Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site; • Install wind breaks at windward side(s) of construction areas; • Suspend excavation and grading activity when winds exceed 20 mph; and • Limit area subject to excavation, grading, and other construction activity at any one time. 	During any construction activities	City of Lodi Building Division Staff	City of Lodi Building Division staff, as appropriate, shall periodically consult with construction representatives to ensure they comply with this requirement.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Biological Resources						
<p>Mitigation Measure 3.2.1: Clearing, grubbing, and/or removal of vegetation shall not occur during the bird-nesting season (from February 1 - September 31) unless a biologist with qualifications that meet the satisfaction of the City of Lodi conducts a preconstruction survey for nesting special-status birds including Swainson's hawk, western burrowing owl, white-tailed kite, California horned lark, and loggerhead shrike. If discovered, all active nests shall be avoided and provided with a buffer zone of 300 feet (500 feet for all raptor nests) or a buffer zone that otherwise meets the satisfaction of the California Department of Fish and Game (CDFG). Once buffer zones are established, work shall not commence/resume within the buffer until the biologist confirms that all fledglings have left the nest. In addition to the preconstruction survey, the biologist shall conduct weekly nesting surveys of the construction site during the clearing, grubbing, and/or removal of vegetation phase, and any discovered active nest of a special-status bird shall be afforded the protection identified above. Clearing, grubbing, and/or removal of vegetation conducted outside the bird-nesting season (from October 1 - January 31) will not require nesting birds surveys.</p>	Clearing, Grubbing, and/or removal of vegetation phase of construction	City of Lodi Community Development Department; Qualified Biologist; CDFG	City of Lodi staff, as well as a qualified biologist shall review project construction activities and periodically consult with construction representatives to ensure they comply with this requirement. City of Lodi staff shall undertake additional coordination with the CDFG, if necessary.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure 3.2.2: Development on the subject site shall participate in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMHCP). This includes payment of Open Space Conversion fees in accordance with the fee schedule in-place at the time construction commences and implementation of the Plan's "Measures to Minimize Impacts" pursuant to Section 5.2 of the SJMHCP.	Prior to the Issuance of a Building Permit	City of Lodi Community Development Department	City of Lodi staff shall verify the payment of appropriate fees by the project applicants.			
Mitigation Measure 3.2.3: Regardless of whether the project develops in a manner that is subject to the San Joaquin County tree protection ordinance (San Joaquin County Code Division 15, Natural Resources Regulations; Chapter 9-1505, Trees), the proposed project shall comply with the ordinance's "Replacement" requirements (Section 9-1505.4) and "Development Constraints" (Section 9-1505.5).	Prior to the Issuance of a Building Permit	City of Lodi Community Development Department	City of Lodi staff shall review the project's landscaping and/or tree replacement plan to ensure compliance with this requirement.			
Cultural Resources						
Mitigation Measure 3.3.1: The Morse-Skinner Ranch House and water tank, including the one acre parcel on which it is situated, is listed on the NRHP and it is therefore a historical resource eligible for the CRHR. Any adaptive reuse of the Morse-Skinner Ranch property shall comply with standards set forth by the Secretary of the Interior.	Prior to the Issuance of a Building Permit	City of Lodi Community Development Department	City of Lodi shall not issue a building permit for the adaptive reuse of the Morse-Skinner ranch House without checking project plans for compliance with the Secretary of the Interior's standards.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
<p>Mitigation Measure 3.3.2: The residences, barn, and Moose Lodge that are situated within the 60 acres included in the Development Plan shall be evaluated for the CRHR. Some of these resources, such as the Moose Lodge, were clearly constructed within the last 50 years and are unlikely to be eligible for the CRHR. However, some of the residences may be more than 50 years old and their architectural significance shall be evaluated by a qualified architectural historian. This process includes the recording of the buildings and structures on Department of Parks and Recreation Historic Structures Forms (DPR 523). Any structures that are found to be ineligible for the CRHR warrant no further consideration. If any of those structures are determined to be CRHR eligible, the California Office of Historic Preservation (OHP) shall be consulted to determine the significance of the discovery, and any resources that are CRHR eligible shall be treated in accordance with the Secretary of Interior Standards.</p>	Prior to the Issuance of a Building Permit	City of Lodi Community Development Department: Qualified historic resources consultant	City of Lodi shall not issue demolition permits until after the subject buildings have been evaluated for their architectural and historical significance. Consultation with the OHP shall be undertaken if any structures are determined to be CRHR eligible.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure 3.3.3: The CRHR eligibility of existing buildings and structures within the 160-acre Concept Plan shall be determined. This will require the services of a qualified architectural historian. This process includes the recording of the buildings and structures on Department of Parks and Recreation Historic Structures Forms (DPR 523). Any structures that are found to be ineligible for the CRHR warrant no further consideration. If any of those structures are determined to be CRHR eligible, the California Office of Historic Preservation (OHP) shall be consulted to determine the significance of the discovery, and any resources that are CRHR eligible shall be treated in accordance with the Secretary of Interior Standards.	Prior to the Issuance of a Building Permit	City of Lodi Community Development Department: Qualified historic resources consultant	City of Lodi shall not issue demolition permits until after the subject buildings have been evaluated for their architectural and historical significance. Consultation with the OHP shall be undertaken if any structures are determined to be CRHR eligible.			
Mitigation Measure 3.3.4: The Yokuts who inhabited the project area prehistorically left no apparent archaeological remains on the ground surface within the Study Area. Previous studies in the Central Valley have shown that archaeological sites are sometimes buried (Moratto 1984). If buried Native American archaeological resources are discovered during the project activities, work shall stop immediately in the vicinity of the discovery, until a qualified archaeologist that meets the satisfaction of the City of Lodi determines the significance of the discovery and develops plans to preserve the significance of any discovered CRHR eligible resources. Such archaeological resource preservation plans shall be implemented to the satisfaction of the City of Lodi.	During any construction activities	City of Lodi Community Development Department; Qualified archeologist	City of Lodi staff shall periodically consult with construction representatives to ensure they comply with this requirement.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure 3.3.5: Should paleontological resources be encountered during construction excavation, the project proponent shall halt excavation in the vicinity of the discovery and contact a qualified vertebrate paleontologist to evaluate the significance of the find and make recommendations for collection and preservation of discovered paleontological resources in a written report to the City of Lodi. Said recommendations shall be implemented to the satisfaction of the City of Lodi.	During any construction activities	City of Lodi Community Development Department;; Qualified vertebrate paleontologist	City of Lodi staff shall periodically consult with construction representatives to ensure they comply with this requirement.			
Hazards and Hazardous Materials						
Mitigation Measure 3.5.1: The City of Lodi shall not issue permits for construction activities on the project site unless the portion of the site involved in the requested permit has been deemed clear of recognized environmental conditions in writing by a California State Registered Environmental Assessor with HAZWOPER 40-hour OSHA Certification. Portions of the site require further hazardous material investigations to make a determination of the presence of recognized environmental conditions. Such investigations shall be conducted in accordance with the most recent American Society for Testing and Materials (ASTM) standards, such as the ASTM's "Standard Guide for Environmental Site Assessments: Phase I [or II] Environmental Site Assessment Process". In total, the updated hazardous material investigations of the site shall minimally evaluate the areas previously inaccessible to hazardous material investigators, the southern-most barn on the eastern portion of APN 058-110-41, the contents of the vault in the shed on the southern portion of APN 058-110-04, the function of the "water" basin and its previous discharges must be determined, the exact location of the 10 inch Kinder Morgan refined product pipeline, the areas adjacent to the Union Pacific Railroad right-of-way, and the onsite residential structures and buildings which were previously inaccessible.	Prior to the Issuance of a Building Permit	City of Lodi Community Development Department	City of Lodi Planning and Building Divisions and Fire Department shall coordinate with the project proponent to ensure compliance with this requirement.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
<p>Mitigation Measure 3.5.2: A Phase II Environmental Site Assessment (ESA) shall be completed prior to the approval of individual development plans within the project area. Said Phase II ESA report shall include subsurface investigations and recommended remedial actions, if required, at specific locations as recommended in the Phase I Environmental Site Assessment prepared by Kleinfelder, Inc., or any subsequent updated report. The following additional requirements shall apply:</p> <p>a. Soil sampling and analysis for pesticides shall only be conducted in those areas of the site that are still agricultural; and</p> <p>If levels of organochloride pesticides are found to be in excess of applicable residential or commercial Preliminary Remediation Goals/Maximum Contaminant Limits (PRGs/MCLs) then an evaluation shall be required to determine the depth and extent of these elevated concentrations.</p>	Prior to the Issuance of a Building Permit for Individual Development Plans	City of Lodi Community Development Department	City of Lodi Planning and Building Divisions and Fire Department shall coordinate with the project proponent to ensure compliance with this requirement.			
<p>Mitigation Measure 3.5.3: If subsurface structures are encountered during site development or excavation onsite, care should be exercised in determining whether or not the subsurface structures contain asbestos. If they contain asbestos, it shall be removed, handled, transported, and disposed of in accordance with local, state, and federal laws and regulations.</p>	During any construction activities	City of Lodi Community Development Department	City of Lodi Planning and Building Divisions and Fire Department shall coordinate with the project proponent to ensure compliance with this requirement.			
<p>Mitigation Measure 3.5.4: The wells onsite should not be used as a water supply for any of the proposed land uses unless the water from said wells is tested and found to meet state and federal drinking water standards as confirmed by the City's water department.</p>	During any construction activities; Operational Phase	City of Lodi Public Works Department	City of Lodi Public Works Department shall coordinate with the project proponent to ensure compliance with this requirement.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
<p>Mitigation Measure 3.5.5: An asbestos and lead paint assessment shall be conducted for structures constructed prior to 1980, if they are to be renovated or demolished prior to future development on the project site. The following requirements apply:</p> <p>a. A Certified Cal-OSHA Asbestos Consultant shall conduct said surveys. If asbestos is detected, all removal shall be completed by a licensed asbestos abatement contractor; and</p> <p>b. Any lead paint that is detected and which is in poor condition shall be removed prior to building demolition.</p>	Prior to the Issuance of a Building Permit	City of Lodi Community Development Department	City of Lodi staff shall determine the need for asbestos and lead paint assessments; Lodi staff shall coordinate with the project proponent to ensure compliance with this requirement.			
<p>Mitigation Measure 3.5.6: All locations of underground storage tanks (USTs) on the project site, where past releases are known or are suspected, shall be subject to further investigation and analysis to confirm or deny evidence of past releases (See Mitigation Measure 3.5.3). Said investigations shall be conducted in accordance with Environmental Protection Agency (EPA) and per Leaking Underground Storage Tank (LUST) guidelines.</p>	Prior to the Issuance of a Building Permit	City of Lodi Community Development Department	City of Lodi staff shall determine the need for UST assessments; Lodi staff shall coordinate with the project proponent to ensure compliance with this requirement.			
<p>Mitigation Measure 3.5.7: Septic systems which are associated with existing residences shall be removed and/or abandoned in accordance with local, state, and federal regulations. Soil samples shall be collected in the vicinity of said septic systems and leach lines to determine the potential for hazardous materials discharged from the septic systems. Any removal of septic systems shall be performed with oversight provided by the San Joaquin County Environmental Health Department.</p>	Prior to the Issuance of a Building Permit	City of Lodi Community Development Department; Public Works Department	City of Lodi Building Division and Public Works Department shall coordinate with the project proponent to ensure compliance with this requirement.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure 3.5.8: Miscellaneous debris located throughout the project site, and described in the Phase I ESA, shall be removed prior to development activities. Any petroleum products and/or hazardous materials encountered should be disposed of or recycled in accordance with local, state, and federal regulations.	Prior to the Issuance of a Building Permit	City of Lodi Community Development Department; Fire Department	City of Lodi Building Division and Fire Department shall coordinate with the project proponent to ensure compliance with this requirement.			
Mitigation Measure 3.5.9: Various sized buckets and drums containing petroleum products were noted at several locations on the project site in the Phase I ESA. All such drums and buckets shall be removed from the project site in accordance with local, state, and federal regulations. In addition, soil sampling shall be conducted at those bucket and drum locations where staining was noted (See Mitigation Measure 3.5.3).	Prior to the Issuance of a Building Permit	City of Lodi Community Development Department; Fire Department	City of Lodi Building Division and Fire Department shall coordinate with the project proponent to ensure compliance with this requirement.			
Mitigation Measure 3.5.10: The vault located in the storage shed along the southern portion of APN 058-110-04 shall be investigated and its nature determined prior to development activity occurring on the project site.	Prior to the Issuance of a Building Permit	City of Lodi Community Development Department; Fire Department	City of Lodi Building Division and Fire Department shall coordinate with the project proponent to ensure compliance with this requirement.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure 3.5.11: Limited soil samples shall be taken along the project site boundary adjacent to the Union Pacific Railroad right-of-way to determine the presence and levels of metals or hazardous materials associated with the railroad right-of-way.	Prior to the Issuance of a Building Permit	City of Lodi Community Development Department; Fire Department	City of Lodi Building Division and Fire Department shall coordinate with the project proponent to ensure compliance with this requirement.			
Hydrology and Water Quality						
Mitigation Measure 3.6.1: To the satisfaction of the City of Lodi Public Works Department, a detailed engineering analysis for the development of a stormwater collection system that will serve the project and potential future development between Reynolds Ranch and the Woodbridge Irrigation District (WID) canal shall be prepared. Said analysis shall include sizing of the pipe network and sizing of the detention basins and pump station discharging to the WID canal.	Prior to the Issuance of a Building Permit	City of Lodi Public Works Department	City of Lodi Public Works staff shall review the project's engineering plans to ensure compliance with this requirement.			
Mitigation Measure 3.6.2: To the satisfaction of the City of Lodi Public Works Department, the proposed pump station shall include provisions for managing the discharge flow rate to serve the needs of the City and to satisfy the terms of the discharge agreement.	Prior to the Issuance of a Building Permit	City of Lodi Public Works Department	City of Lodi Public Works staff shall review the project's engineering plans to ensure compliance with this requirement.			
Mitigation Measure 3.6.3: To the satisfaction of the City of Lodi Public Works Department, all drainage facilities shall be constructed in conformance with the standards and specifications of the City of Lodi.	Prior to the Issuance of a Building Permit	City of Lodi Public Works Department	City of Lodi Public Works staff shall review the project's engineering plans to ensure compliance with this requirement.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure 3.6.4: To the satisfaction of the City of Lodi Public Works Department, the detention basin shall include a low flow facility to enhance water quality and to help manage nuisance flows. Other water quality control features shall be incorporated into the project design to improve water quality of the storm discharge to the satisfaction of the City of Lodi Public Works Department.	Prior to the Issuance of a Building Permit	City of Lodi Public Works Department	City of Lodi Public Works staff shall review the project's engineering plans to ensure compliance with this requirement.			
Mitigation Measure 3.6.5: To the satisfaction of the City of Lodi Public Works Department, as part of the design process, a detailed drainage master plan shall be developed to identify collection and storage facilities, phasing and other appurtenances needed to insure that the system meets the requirements of the City drainage system.	Prior to the Issuance of a Building Permit	City of Lodi Public Works Department	City of Lodi Public Works staff shall review the project's drainage plans to ensure compliance with this requirement.			
Mitigation Measure 3.6.6: To the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required drainage infrastructure to serve the demands of the project. Funding of drainage infrastructure in accordance with Conditions of Approval for the project shall satisfy this mitigation measure.	Prior to submittal of Tentative Tract Map Application	City of Lodi Public Works Department	City of Lodi Public Works shall coordinate with the project proponent to ensure compliance with this requirement.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Land Use						
<p>Mitigation Measure 3.7.1: To reduce agricultural/residential land use incompatibilities, the following shall be required:</p> <p>a. The applicant shall inform and notify prospective buyers in writing, prior to purchase, about existing and on-going agricultural activities in the immediate area in the form of a disclosure statement. The notifications shall disclose that the residence is located in an agricultural area subject to ground and aerial applications of chemical and early morning or nighttime farm operations which may create noise, dust, et cetera. The language and format of such notification shall be reviewed and approved by the City Community Development Department prior to recordation of final maps. Each disclosure statement shall be acknowledged with the signature of each prospective owner. Additionally, each prospective owner shall also be notified of the City of Lodi and the County of San Joaquin Right-to-Farm Ordinance.</p> <p>b. The conditions of approval for tentative maps shall include requirements ensuring the approval of a suitable design and the installation of a landscaped open space buffer area, fences, and/or walls around the perimeter of the project site affected by the potential conflicts in land use to minimize conflicts between project residents, non-residential uses, and adjacent agricultural uses prior to occupancy of adjacent houses.</p> <p>c. Prior to recordation of the final maps for homes adjacent to existing agricultural operations, the applicant shall submit a detailed wall and fencing plan for review and approval by the Community Development Department.</p>	Prior to the Issuance of Building Permits for Individual Development Plans; Operational Phases of Project	City of Lodi Community Development Department	City of Lodi Community Development Department shall coordinate with the project proponent to ensure compliance with this requirement.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure 3.7.2: Prior to issuance of a building permit, the applicant shall pay an Agricultural Land Mitigation fee to the City of Lodi. Said fee is to be determined by the pending adoption of an ordinance of the City establishing a fee mitigation program to offset the loss of agricultural land to future development. In the event said ordinance is not effective at the time building permits are requested, the applicant shall pay a fee to the Central Valley Land Trust (Central Valley Program) or other equivalent entity to offset the loss of the Prime Farmland at the time of Building Permit Issuance.	Prior to the Issuance of Building Permits	City of Lodi Community Development Department	City of Lodi staff shall verify the payment of appropriate fees by the project applicants.			
Noise						
Mitigation Measure 3.8.1: All construction shall require a permit and shall be limited to the hours of 7 a.m. to 10 p.m. Staging areas shall be located away from existing residences, and all equipment shall use properly operating mufflers.	Prior to and during any construction activities	City of Lodi Community Development Department	City of Lodi staff, as appropriate shall periodically consult with the project's construction representative to ensure compliance with this requirement.			
Mitigation Measure 3.8.2: The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.	Prior to and during any construction activities	City of Lodi Community Development Department	City of Lodi staff, as appropriate shall periodically consult with the project's construction representative to ensure compliance with this requirement.			
Mitigation Measure 3.8.3: Habitable second-story residential space, located within 245 feet of the Hamey Lane centerline, must have upgraded structural protection including dual-paned windows and supplemental ventilation (air conditioning) to allow for window closure, in compliance with the City of Lodi Compatibility Standards.	Prior to the Issuance of Building Permits	City of Lodi Community Development Department	City of Lodi Planning and Building Divisions shall check project plans for compliance with this requirement.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure 3.8.4: Outdoor recreational space within 145 feet of the Harney Lane centerline must be shielded by solid perimeter walls of 6-7 feet in height or landscape berming, or any combination of the two to achieve the desired noise attenuation.	Prior to the Issuance of Building Permits	City of Lodi Community Development Department	City of Lodi Planning and Building Divisions shall check project plans and periodically visit the site for compliance with this requirement.			
Mitigation Measure 3.8.5: New residential development both north and south of Harney Lane shall require installation of 6-7 foot high sound walls or landscape berming, or any combination of the two to achieve the desired noise attenuation. Current and future homes located across Harney Lane will be masked from noise associated with major retail uses by the already elevated ambient background freeway noise and by setback distances of approximately 300 feet.	Prior to the Issuance of Building Permits	City of Lodi Community Development Department	City of Lodi Planning and Building Divisions shall check project plans and periodically visit the site for compliance with this requirement.			
Mitigation Measure 3.8.6: Homes situated adjacent to the train tracks require either a setback distance of 430 feet or a 6 foot sound wall (above train track rails), landscape berming, or any combination of the two to mitigate train noise to 65 dB at the residential exterior and ground floor interior. This attenuation may be achieved by the design of the mini-storage facility. An interior noise analysis should be submitted in conjunction with building plan check, to verify that structural noise reduction will be achieved in a livable upstairs space, at the perimeter tier of homes by the specified structural components (windows, walls, doors, roof/ceiling assembly) shown on building plans. Disclosure of the presence of the tracks should be included in all real estate transfer documents to anyone buying or leasing a property within 500 feet of the train tracks.	Prior to the Issuance of Building Permits	City of Lodi Community Development Department	City of Lodi Planning and Building Divisions shall check project plans and periodically visit the site for compliance with this requirement.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure 3.8.7: A detention basin pump system will be required to empty the detention basin. The planned proximity of homes to the basin would likely require substantial shielding if such pumps were to operate at night. To the satisfaction of the City of Lodi, noise levels at residences in proximity to any required basin pump system shall be attenuated to meet the City's noise standards. Said attenuation can be achieved through enclosing the pump system or using upgraded sound rating building materials in nearby residences.	Prior to the Issuance of Building Permits	City of Lodi Community Development Department; Public Works Department	City of Lodi Community Development Department and Public Works Department shall check project plans for compliance with this requirement.			
Mitigation Measure 3.8.8: Noisiest agricultural activities will have substantial setback from onsite residences, particularly as the site is progressively developed. Buyer notification of the presence of possible agricultural activity noise shall be made as part of any property transfer documents.	Operational Phases of Project	Project Applicants; City of Lodi Community Development Department	City of Lodi Community Development Department and Project Applicants shall work cooperatively to achieve compliance with this requirement.			
Public Services						
Mitigation Measure 3.9.1: A fire station shall be constructed as part of the proposed project during Phase II development of the site.	During Development of Phase II	City of Lodi Community Development Department; Fire Department	City of Lodi Community Development and Fire Department Staff shall work cooperatively with the project applicants to develop plans and specifications to achieve compliance with this condition.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Traffic and Circulation						
Mitigation Measure 3.10.1: Prior to approval of the first tract or parcel map with the Reynolds Ranch Project, a roadway improvement plan for "A," "B," and "Loop" Streets including a detail plan for an off-street multi-use trail to be utilized within the internal network of trails and pedestrian access within the project shall be required for review and approval by the City's Public Works Department. Additionally, the roadway improvement plan shall identify all recommended intersection controls and geometrics as noted under "Proposed Improvements" in Section 3.10.7 of this document.	Prior to Approval of First Tract or Parcel Map	City Lodi Public Works Department, Traffic Engineering Section	City of Lodi Traffic Engineering staff shall review the project's roadway improvement plans to ensure compliance with this requirement			
Mitigation Measure 3.10.2: Prior to approval of the first tract or parcel map for Reynolds Ranch Project, the City's Public Works Department shall review and approve a roadway phasing and improvement plan to ensure that timing of new roadway construction and improvements will be provided as necessary to serve and support new development for "Year 2008 Pre-Project Plus Phase I Project Conditions." The phasing plan shall also note completion and timing of roadway improvements by other adjacent development to coincide with proposed improvements on the same facilities by the proposed project.	Prior to Approval of First Tract or Parcel Map	City Lodi Public Works Department, Traffic Engineering Section	City of Lodi Traffic Engineering staff shall review the project's roadway construction and phasing plans to ensure compliance with this requirement			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure 3.10.3: As part of the subdivision review process, a roadway improvement plan shall include, but not be limited to providing, the following items: 1) identify all entry/access points for all future development within the project area to ensure proper intersection control and signage, 2) show adequate sight distance in consideration of grading and landscaping at all intersections and drive entries, and 3) identify all bikeways, off-street multi-use trails and sidewalks within the project area. Submittal of the above information is intended to address any potential for vehicle and pedestrian conflicts in the development of the project roadway plan and ensure safe and adequate access for all residents and businesses within the project site.	Prior to Approval of Tentative Tract Map	City Lodi Public Works Department, Traffic Engineering Section	City of Lodi Traffic Engineering staff shall review the project's roadway construction and phasing plans to ensure compliance with this requirement			
Mitigation Measure 3.10.4: Proponents of development onsite shall submit a construction Traffic Control Plan to the City's Public Works Department or review and approval prior to commencing construction on the project and any related off-site improvements.	Prior to the Issuance of Building Permits for Individual Development Permits	City Lodi Public Works Department, Traffic Engineering Section	City of Lodi Traffic Engineering staff shall review the project's roadway construction and phasing plans to ensure compliance with this requirement			
Mitigation Measure 3.10.5: The design of the internal circulation system and vehicular access will be subject to review and approval by the City of Lodi's Police and Fire Departments prior to issuance any building permits for the project.	Prior to the Issuance of Building Permits	City of Lodi Police and Fire Departments	City of Lodi Police and Fire Departments shall review circulation and access designs prior to permit issuance.			
Mitigation Measure 3.10.6: Prior to map approval and issuance of building permits, ensure that adequate parking demand is satisfied for all proposed uses (i.e. parks, commercial and residential development, etc.) in accordance to the City of Lodi Zoning Ordinance.	Prior to Subdivision Map Approval or Issuance of Building Permits	City of Lodi Community Development Department	Community Development Department Plan shall check project plans for compliance with this requirement.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Utilities and Service Systems						
Mitigation Measure 3.11.1: To the satisfaction of the City of Lodi Public Works Department, a new well shall be added in the project to support water needs for the project area and shall be included in the first phase of development. The triangular area by the Morse-Skinner Ranch House is a recommended area, although other sites may prove acceptable. A higher fire flow can be maintained by placing the well in the east portion of the project where office and retail fire flows will be higher.	Prior to and during any construction activities	City Lodi Public Works Department	City of Lodi Public Works Department shall coordinate with the project proponent to ensure compliance with this requirement.			
Mitigation Measure 3.11.2: To the satisfaction of the City of Lodi Public Works Department, a second well shall be constructed as part of the second phase of development as demands indicate the need. Alternatively, since the project only necessitates a portion of a second well, the well could be constructed offsite and the development pay its fair share of the second well.	During Development of Phase II	City Lodi Public Works Department	City of Lodi Public Works Department shall coordinate with the project proponent to ensure compliance with this requirement.			
Mitigation Measure 3.11.3: Prior to improvement plan approval, a looped water pipeline plan will be developed for the project that will provide for fire flows within the project, connections to the existing City system and a phasing plan for pipe installation. This plan shall be reviewed and approved by the City Engineer.	Prior to the issuance of Building Permits	City Lodi Public Works Department, Engineering Division	City of Lodi Public Works Department, Engineering Division, shall coordinate with the project proponent to ensure compliance with this requirement.			
Mitigation Measure 3.11.4: To the satisfaction of the City of Lodi Public Works Department, the development shall be assessed its fair share of the cost of developing additional water sources, including but not limited to participation in acquiring additional water rights, development and construction of surface water treatment or recharge the groundwater system, construction of water transmission facilities, and other related water infrastructure.	Prior to and issuance of any building permits	City Lodi Public Works Department	City of Lodi Public Works Department shall coordinate with the project proponent to ensure compliance with this requirement.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure 3.11.5: To the satisfaction of the City of Lodi Public Works Department, as part of the design process, a detailed water master plan shall be developed to identify facilities, phasing and other facilities needed to insure that the water system for the project meets the requirements of the City water system.	Prior to the Approval of a Tentative Tract Map	City Lodi Public Works Department	City of Lodi Public Works Department shall review the applicant's water master plan to ensure compliance with City requirements.			
Mitigation Measure 3.11.6: To the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required water infrastructure to serve the demands of the project. Funding of water infrastructure in accordance with Conditions of Approval for the project shall satisfy this mitigation measure.	Prior to the Approval of a Tentative Tract Map	City Lodi Public Works Department	City of Lodi Public Works Department shall coordinate with the project proponent to ensure compliance with this requirement.			
Mitigation Measure 3.11.7: To the satisfaction of the City of Lodi Public Works Department, a detailed engineering analysis for the development of a collection system that will serve the project area shall be prepared. Said analysis shall include sizing of the pipe network, sizing of the pump station modifications, and establishing timing for the pump station modifications.	Prior to the Approval of a Tentative Tract Map	City Lodi Public Works Department	City of Lodi Public Works Department shall review the applicant's wastewater collection plans to ensure compliance with City requirements			
Mitigation Measure 3.11.8: To reflect the investment that has been made by existing development and other potential developers, a financing mechanism shall be developed and implemented to the satisfaction of the City of Lodi to fund the modification of the pump station and the station outfall force mains. Funding of the pump station in accordance with Conditions of Approval for the project shall satisfy this mitigation measure.	Prior to the Approval of a Tentative Tract Map	City Lodi Public Works Department	City of Lodi Public Works Department shall coordinate with the project proponent to ensure compliance with this requirement.			

Mitigation Measures	Mitigation Monitoring			Reporting		
	Period of Implementation	Monitoring Responsibility	Monitoring Procedure	Comments	Date	Initials
Mitigation Measure 3.11.9: To the satisfaction of the City of Lodi Public Works Department, and as part of the design process, a detailed sewer master plan shall be developed to identify facilities, phasing and other facilities needed to insure that the wastewater system meets the requirements of the City sewer system.	Prior to the Approval of a Tentative Tract Map	City Lodi Public Works Department	City of Lodi Public Works Department shall review the applicant's sewer master plan to ensure compliance with City requirements.			
Mitigation Measure 3.11.10: To the satisfaction of the City of Lodi Public Works Department, the project proponents shall participate in a financing mechanism to fund the required sewer infrastructure to serve the demands of the project. Funding of sewer infrastructure in accordance with Conditions of Approval for the project shall satisfy this mitigation measure.	Prior to the Approval of a Tentative Tract Map	City Lodi Public Works Department	City of Lodi Public Works Department shall coordinate with the project proponent to ensure compliance with this requirement.			